Phase 4 Watershed Plan
Implementation Committee

Report to the Legislature

December 2002

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Executive Summary

The State's Watershed Management program was authorized by the Legislature in 1998. The program provides for locally-led, cooperative efforts to assess water resource needs and develop comprehensive and effective solutions at the watershed scale. These solutions are critical for local communities across the State. They are also an essential element in protecting natural ecosystems as growth continues. Watershed plans offer an important complement to the State's efforts to manage growth, protect threatened and endangered salmon runs, and improve water quality.

At this time, 33 "Planning Units" have formed in local areas around the state, to develop plans for 42 of the State's 62 Water Resource Inventory Areas (WRIAs). Some of these Planning Units are nearing completion of their plans, and many other plans will be completed in the next two to three years. Yet at this time many questions remain regarding how these plans will be implemented and whether funding will be available to carry them out. One point is clear: plans prepared in different WRIAs will be very different from each other, in terms of the recommended actions, level of detail, and expectations regarding the implementation process. Any efforts to provide a firm foundation for the implementation process must recognize this diversity.

During the 2001 Session, the Legislature authorized creation of a committee to review these issues. Governor Gary Locke subsequently invited a diverse group of watershed planning participants to serve on the Phase 4 Watershed Planning Implementation Committee. This report presents the results of their work.

Because funding needed for implementation requires a thorough understanding of the implementation process, the Committee understands its charge to be relatively broad, and to include elements such as:

- Developing an inventory of the types of activities that may be included in final watershed management plans, together with the costs of those activities.
- Developing an understanding of the overall context for implementing watershed plans, including the relationship to existing water-resource management programs and funding sources; and
- Developing an understanding of possible approaches to coordination and oversight of the implementation process, that may be applied in different WRIAs across the state, and understanding how this relates to possible funding sources.

This report is solely about the implementation phase ("Phase IV"), which will begin following final approval of a watershed plan by county legislative authorities in a given WRIA. It does not address Phases I, II, or III of the watershed planning process. These phases have been addressed by guidance manuals issued previously[1].

What Actions will be Included in Implementation of Watershed Plans?

In order to better understand implementation needs for watershed plans, it is important to understand what types of activities will be involved in the implementation phase. The Committee finds that implementing watershed plans will include three complementary elements:

1. Carrying out *actions* defined in the watershed plan. These actions include construction of infrastructure, restoration of physical characteristics of the watershed, and programmatic activities to improve watershed conditions or extend water supplies.

2. *Coordination and oversight* of the implementation process. This may include a number of interrelated activities, such as seeking funding; tracking progress towards implementation milestones; making adjustments to respond to new information and changing conditions; coordinating the many implementation actions being performed by different organizations in the watershed; and responding to local needs and concerns as expressed by elected officials, stakeholders and the public.

3. *Supporting activities.* These include public outreach and education; long-term monitoring activities and associated research; data management; and program evaluation.

General Findings

The State's watershed management program under Chapter 90.82 RCW encompasses a sweeping range of water-resource management issues. These include water supply, water quality, stream flow management, and habitat enhancement. These are vital issues for the future of the State, and the residents of every region. Therefore, sustaining the efforts begun in the planning phase, and providing a sound foundation for carrying out watershed plans, represents an important investment in future economic vitality and watershed health at both the local and statewide level.

At the same time, the watershed management program must still be considered an "experiment." The planning grants have provided a stimulus to diverse groups across the state. With local leadership and state agency support, these groups are shaping the future of their watersheds. Yet in virtually every WRIA, there is considerable uncertainty over how plans will be implemented. These experiments, though promising, could prove fruitless if momentum is lost during the transition from plan to action. By providing the organizational tools and financial resources needed for successful transition to the implementation phase, the Legislature can take a critical step in ensuring the watershed management program yields real results.

[1] *Guide to Watershed Planning and Management*, 1999; and *Guide to Watershed Planning and Management, Addendum No. 1*, 2001. Both were developed by a group of statewide associations in partnership with the Department of Ecology. Both documents are available from Ecology.

Out of 33 watershed plans currently under development, 20 are due for completion in years 2003 and 2004. This highlights the urgency for ensuring a sound foundation and funding sources are in place for implementation.

The Committee notes that in some parts of the State, water-resources planning is being pursued outside the framework of Chapter 90.82 RCW, but with many of the same characteristics of collaborative involvement and comprehensive scope. The Committee did not explore these alternate processes in detail, but notes that many of the findings and recommendations contained in this report may apply to those processes as well. In addition, planning processes outside the framework of Chapter 90.82 RCW may be worthy of funding for implementation activities, as long as they are carried out in a fashion that is consistent with the overall purpose and intent of the State's watershed planning program.

Importance of Coordination and Oversight During Implementation

Findings

The Committee believes that effective coordination and oversight of the implementation process in each WRIA will be critical to the success of watershed management. Some framework for coordination is needed, so the many actions included in each watershed plan, spanning diverse natural resources and community needs, will work together to meet the objectives intended by Planning Units. The framework for coordination and oversight must be locally designed, to fit into the existing pattern of relationships and responsibilities within each WRIA. Therefore, no single approach is recommended for statewide application. However, the Committee's recommendations are designed to offer planning units and implementing organizations with a range of options to fulfill this need. In addition, several changes to Chapter 90.82 RCW are recommended to provide the necessary legal underpinnings for successful coordination and oversight at the local level.

The Planning Units formed under Chapter 90.82 RCW play a vital role in analyzing watershed conditions in each WRIA, and identifying potential solutions to outstanding needs. Under the watershed management act, these Planning Units have no continued role identified after the Plan has been completed and approved. Moreover, Planning Units themselves have limited capabilities in terms of implementing specific actions recommended in the Plan. The Committee believes that the productive relationships and comprehensive outlook developed by Planning Units over a four-year period make them extremely valuable for continued involvement. One role that would clearly be appropriate for Planning Units or successor groups is continued oversight of Plan implementation, to ensure that actions carried out by various parties are consistent with Plan objectives, and to recommend updating or amendment of Plans from time to time.

Because of the importance of coordination and oversight functions, the Committee has also recommended the State provide financial support for this activity, for a period of time.

Recommendations to Planning Units and Implementing Organizations

- Chapter 90.82 RCW does not currently require development of an implementation plan, as part of a watershed plan. The Committee believes that Planning Units should develop as much of the implementation program as feasible during the Planning Phase (Phase III). However, in some areas this may prove very challenging, due to the comprehensive scope of the watershed plans, the number of organizations that may be involved in implementation, the inherent uncertainties associated with pursuing funding, and the potential need for negotiated agreements among implementing organizations. Therefore, where implementation details are not fully defined in the plan, Planning Units and implementing organizations should consider developing a detailed implementation plan within one year following final approval of the watershed plan by the county legislative authorities. An implementation plan would clearly define coordination and oversight responsibilities, any needed inter-local agreements, rules or ordinances, funding mechanisms and timelines for carrying out the actions recommended in the plan. The Planning Unit should also consider these elements, while they are developing their Watershed Plan in Phase 3, but many details will best be defined after the Plan is approved. If the Phase 4 grants discussed under Funding Approaches (see below) are created by the Legislature, then submittal of a detailed implementation plan should be a condition for receiving the grant in the second year and all subsequent years of the Phase 4 grant.
- Planning Units and implementing organizations should consider the five alternative approaches to coordination and oversight described in Section 3.3, as well as other approaches that may be applicable, and should determine which approach to carry forward into the implementation phase.

Recommendations to the Legislature

- The Legislature should expand the grant program in Chapter 90.82.040 RCW[2] to provide matching grants to support coordination and oversight of plan implementation, and should appropriate funds adequate for this purpose. The grant should be available only after a watershed plan has gone through the full approval process. Eligible expenditures during the first year of the grant would include, but not be limited to, development of a detailed implementation plan. Further funding in the second year and any subsequent years, would be contingent on submittal of an implementation plan. For further details, see Section 4.4.1.
- RCW 90.82 should be amended to provide for "Implementing Governments", as discussed in Section 3.4. These are local governments, tribal governments, or special districts that formally accept obligations for plan implementation. One role of the Implementing Governments should be to name a local "Implementation Lead Agency." The implementation lead agency would have the role of coordination and oversight during the implementation process.
- The Legislature should consider creating a new option in State law, for local areas to form a "Water Resources District." This district could be created at the option of voters in a watershed, and would have taxing authority to raise money for implementation of watershed plans. Further information on this proposal is included in Appendix B.

[2] For a copy of Chapter 90.82 RCW, see Appendix A.

- Chapter 90.82 RCW should be amended to explicitly state that Planning Units or successor groups may continue to operate after Plan adoption, in an advisory capacity to the organizations implementing plan provisions. The exact role and associated procedures for the Planning Unit during the implementation phase would be defined by the Implementing Governments. (Also see discussion of Planning Units' role in periodic review of implementation and need for plan updates, Section 6.1.)
- Chapter 90.82.130 (3) should be amended to recognize that state rules and county ordinances are not the only means that commitments can be made for implementing provisions of a watershed plan. The law should state instead that any organizations voluntarily accepting an obligation as defined in 90.82.130 (4) "shall adopt policies, procedures, agreements, rules and/or ordinances to implement the plan; and should annually review implementation needs with respect to budget and staffing." This requirement should not be limited to state agencies and county governments. The Committee notes that the original intent of Chapter 90.82.130 (3) and (4) appears to have been to ensure that entities that voluntarily accept "obligations" would follow through with implementation. This recommendation is intended to preserve this concept, while offering more appropriate and effective means for follow-through.

Funding Needs

At this time, efforts to estimate the funding needs associated with implementation of watershed plans can be only provisional at best. This is because few watershed planning units have yet defined the actions to be included in their watershed plans, and no planning unit has yet approved a watershed plan. The Committee has attempted to gain an understanding of these costs to an order of magnitude, by characterizing general categories of actions that have been identified by Planning Units, and reviewing representative costs for these types of actions. Costs are highly variable, and depend to a great degree on local needs and circumstances. Moreover, the number of projects in each category that will be recommended statewide is only conjecture at this time. Much better information on these needs will become available when a number of Planning Units have completed their plans, for example by the end of 2004.

Despite these limitations, the Committee has generated one estimate of possible needs, amounting to approximately $5.9 billion. Several caveats are in order regarding this figure. First, it is highly uncertain, due to the points discussed above. Second, it does not represent a need for State funding alone, since many costs may be borne, in part, by either local or federal sources, as well as private sector organizations. Third, these are not "new" needs, and they were not created by the watershed planning process. Instead, watershed plans will likely group many needs together that have already been identified through other processes, such as habitat restoration efforts, water and wastewater system plans, irrigation district needs, and water quality programs. Traditionally, these costs have been kept in separate "boxes," based on the way that regulatory and funding programs are organized at either the State or federal level. Because watershed planning is intentionally comprehensive, all of these costs become additive in the context of a watershed plan.

Finally, the Committee emphasizes that watershed plans offer the potential to improve the return on investment from water-resource infrastructure projects and programs. This is because the watershed planning process offers a means to define and review proposed projects and programs

from a comprehensive perspective. Planning units striving to meet multiple objectives for people and the environment simultaneously, will, it is hoped, package actions together that are naturally complementary, rather than counteractive. Moreover, to the extent that watershed plans do a good job of defining local priorities, they will help make informed choices about how investments in water resource should be spent.

Funding Approaches

Findings

The Committee believes that funding for implementation of watershed plans will need to involve a combination of local, state, and federal sources, and, in some cases, contributions from private sector organizations. This report focuses more on local and state funding sources, because the Committee believes that its efforts can be most useful in the state and local context. However, the Committee emphasizes that federal and private sources may be equally as important as local and state sources of funding for implementation of watershed plans.

Some Committee members have indicated that local governments, particularly multipurpose governments, will be hard pressed to contribute funds for water resource management. They point out that the public in local areas is weary of new fees and taxes, and that other priorities are higher on the public agenda at the local level. Other Committee members believe that local governments and special districts must take a part in financing water resource management actions, and that public support can be obtained through sustained efforts at education and outreach. In the end, both of these perspectives carry weight, applying in varying degrees within each of the State's 62 WRIAs.

Because the Committee received its charge from the Legislature, it devoted considerable attention to how the State can help to finance implementation of watershed plans. As discussed above, the Committee believes that grants to support coordination and oversight of the implementation process would be extremely valuable in ensuring the watershed planning "experiment" yields successful results. This can be achieved with a relatively modest level of funding. For example, this could be supported by a State contribution of approximately $2 million per year, over a period of seven to ten years, as the various planning units transition to the implementation phase.

Financing the various projects and programmatic activities recommended in watershed plans will require much more substantial funding. As noted above, one estimate indicates this need will be in the billions, although this cost may be shared by the local and federal levels. The Committee has identified two, complementary approaches for the State to contribute its share of this need.

First, many of the infrastructure projects recommended in watershed plans will be consistent with eligibility requirements of existing funds such as the Centennial Clean Water Fund, Salmon Recovery Fund, Public Works Trust Fund, Clean Water State Revolving Fund, and others. The various existing State funding programs should be examined carefully to determine how current revenue streams can contribute to funding implementation of watershed plans.

Second, the Committee anticipates that funding needs for effective water resource management will exceed the capacity of these existing funds by a considerable margin. Therefore, the Legislature should consider establishing a new source of revenue to pay for needed infrastructure. Several principles for such a program are outlined in this report, and number of alternative proposals are reviewed.

Recommendations to Planning Units and Implementing Organizations

- As Planning Units develop their watershed plans in Phase 3, they should identify potential funding sources, including local, state, federal and private sector sources. However, it is recognized that funding arrangements may not be fully defined or finalized during the Planning Phase, and may need to be deferred to the implementation phase (Phase 4).
- With respect to local contributions to implementing plans, potential contribution of in-kind goods and services should be considered, as well as financial contributions.
- Where planning units identify local revenue sources to be used in implementing watershed plans, they should also consider how efforts to develop new local revenue sources may require outreach activities to ensure the public supports these sources.
- Planning units should anticipate that funding requests for projects listed in their watershed plans will be reviewed in the context of other water-related projects in their respective WRIAs. Planning Units should consider how their recommended actions fit into the overall context of all water-resource funding needs in their WRIAs.

Recommendations to the Legislature

- The Legislature should expand the grant program in Chapter 90.82.040 RCW to provide matching grants to support coordination and oversight of plan implementation, and should appropriate funds adequate for this purpose. The local match should be at least 10 percent but no greater than 25 percent, and in-kind contributions should count towards the local match requirement. The State grants should phase out over a five-year period. For further details, see Section 4.4.1.
- The Legislature should provide policy direction to the various agencies, boards and commissions that manage state funding programs to indicate that funding for implementation of watershed plans is a State priority. The Legislature should direct these agencies, boards and commissions to jointly review how their programs can support implementation of watershed plans. A progress report on this review should be completed by December 31, 2003 and results should be provided to both the Legislature and Department of Ecology. The Legislature should direct the Department of Ecology to assist with this effort, coordinate the joint review, and provide necessary information on watershed plan implementation to the respective funding entities. For review elements and further details, see Section 4.4.2.
- The Committee recommends that State agency staff responsible for providing input to federal agencies on funding programs undertake a similar review of key federal funding programs, similar to that described for State funding sources above. This applies particularly to State agency staff involved with federal programs administered by the US Environmental Protection Agency, US Department of Agriculture, Bureau of Reclamation, US Army Corps of Engineers, and Bonneville Power Administration.

- The Legislature should enact a new revenue program, to generate substantial funds for water-related infrastructure projects, as well as watershed management programs. This program should take into consideration the following principles:
  - Funding sources should be fair and equitable. This includes elements such as a broad-based application reflecting the broad uses and benefits of water resources in the state; and avoidance of "double-taxing" those who have already paid for improvements in water resource management in other ways.
  - If possible, there should be a clear linkage between the source of revenue, and water resources, so the public understands why the money is being collected.
  - Collection of revenues should be practical, without needing extensive new administrative arrangements or procedures. For example, distribution of funds using one of the State's existing funding programs would be preferable, over creation of a new administrative structure.
  - The source of revenue must have political support, or at least neutrality. This includes avoiding the perception of "excessive" fees or taxes on one sector of the economy (e.g. agriculture), or on specific industrial plants that are particularly critical to economic health and employment within a given city or region.
- The Legislature should consider amendments to existing laws regarding actions and expenditures authorized for cities, counties, and special districts involved in water resources management, to allow these entities to contribute financial support to watershed-wide actions that benefit their respective constituents or customers.
- Consideration should be given to amending the Interlocal Coordination Act, to allow watershed-based coordination and funding. There may be ways to provide for collaborative payoff of bonds for capital facilities as well, although. However, it should be noted that the Committee has not explored this recommendation in detail.
- The Legislature should consider creating a new option in State law, for local areas to form a "Water Resources District." This district could be created at the option of voters in a watershed, and would have taxing authority to raise money for implementation of watershed plans. Further information on this proposal is included in Section 3.3 and Appendix B.
- The Legislature should consider authorizing local governments, at their option, to impose a new source of revenue linked to water resources. The purpose of this new option would be to raise money at the local level to implement watershed plans. This authorization should include a requirement that local governments may not impose this revenue source unless it is approved by local voters. This concept is described further in Section 4.3.
- The Legislature should consider how funding requirements for environmental mitigation of major projects, including transportation projects, could be applied to implementation of watershed plans to maximize environmental benefits at the watershed level.

Monitoring, Data Management, and Related Issues

Sound information on watershed conditions and trends is vital to management of water quantity, water quality, habitat, and instream flows. The Committee discussed needs in this regard, for the implementation phase. These needs are above and beyond those addressed in the Assessment

Phase (Phase 2) of developing a watershed plan. Some Planning Units may identify monitoring and data management as an important need. In other WRIAs this may not be an issue. The Committee identifies the following general recommendations with regard to monitoring, data management, and related issues.

Recommendations to Planning Units and Implementing Organizations

- Planning units or implementing organizations should consider the need for monitoring, data management, and data sharing programs as a component of the implementation plan recommended in Section 3.7 of this report. The discussion of monitoring and data management should address the purposes of data collection, the need for sustained efforts to update key data, coordination of monitoring activities, and provisions for data management. For each action, or group of actions, listed in a watershed plan, identify what kind of information will be needed to assess effectiveness and determine when changes may be needed.
- Planning units or implementing organizations should identify specific funding needs related to monitoring and data management, and should review options at the local, state and federal levels, to meet this need.
- The Committee recommends that Watershed Planning Units refer to the Monitoring Oversight Committee's (MOC) work, as they devise their own programs for monitoring at the WRIA or subbasin scale. Many of the concepts developed by the MOC at the statewide scale may be transferable to the WRIA or subbasin scale. The differences in purpose and scale discussed in Section 5.2 should be recognized as this is done.
- Information gaps should not be used as an excuse to prevent action. Planning units or implementing organizations should weigh the need for improved information against the costs associated with pursuing additional information and the risks of delaying water resource and watershed management decisions.

Recommendations to State Agencies and Monitoring Oversight Committee

- Statewide monitoring and information systems should not be limited to activities centered only on salmon recovery. Rather, these efforts should address a broad range of water-resource information, including demographic growth, land use, water rights and water uses.
- The State should develop improved monitoring programs to meet statewide needs, including improved coordination among State agencies. These programs should also consider the need for improved monitoring capabilities at the WRIA and subbasin scale.
- As data management and data access systems are developed or improved, they should provide for retrieval of data on the geographic basis of watersheds.
- Regional or statewide data centers should be established to store water resource and habitat data, and to provide access to this data to watershed managers and the public. Linkages to local implementation of watershed plans should be provided for.

Recommendations to the Legislature

- The Legislature should consider funding ongoing efforts to improve and update watershed information in areas where Planning Units determine that data limitations preclude effective watershed management actions.
- The Legislature should recognize that efforts to improve data gathering, management, and coordination at the statewide level cannot substitute for the need for data at a finer scale of resolution, at the WRIA or subbasin scale.

Flexibility and Adaptation

Watersheds are continually changing, and information and scientific understanding can improve over time. Watershed plans will need to be updated or amended from time to time, in response. In addition, some aspects of implementation have uncertainties, due to funding needs, permitting, and other factors. The Committee reviewed the need for flexibility and adaptation in the implementation process. The following recommendations are provided.

Recommendations to Planning Units and Implementing Organizations

- Provisions to allow for "day to day" management decisions; periodic review of progress towards implementation; and occasional updating or revision of the watershed plan should be built into the Implementation Plan recommended in Section 3.7.

Recommendations to Legislature

- The Legislature should amend Chapter 90.82 RCW to provide for periodic review of approved watershed plans, and to allow for amendment of plans if needed. The review should be carried out by Planning Units, or a similar successor group, as discussed above. However, this review should be advisory only. Actual decisions regarding when to amend a plan, what to amend, and how to carry out and finance the amendment process should be at the discretion of the Implementing Governments described in Section 3.4. Approval of amendments to a plan should be through a process involving the county legislative authorities, following the procedures outlined in Chapter 90.82.130 RCW, for approval of the original watershed plan. Once approved, the "obligations" voluntarily accepted by implementing organizations should become binding, as per the provisions of Chapter 90.82.130 (see related recommendation above on amending this section of the law.)
- The Legislature should consider providing funding for periodic updates of watershed plans in the future, where there is a demonstrated need identified by the local planning unit or successor organization.

Additional Discussion

In addition to the topics discussed above, the Committee reviewed two additional issues related to implementation of watershed plans.

One of these was potential modifications to State water law. These discussions proved to be very challenging. While the Committee did not provide extensive findings or recommendations on this topic, the content of its discussions on water law can be found by reviewing Appendix C. It is anticipated that some watershed plans may also identify specific changes suggested for State rules and statutes.

The Committee also briefly reviewed considerations related to the State and National Environmental Policy Acts (SEPA and NEPA). However, because the Department of Ecology has been undertaking a comprehensive effort to develop a statewide Environmental Impact Statement for use by Planning Units, the Committee did not address this topic in detail.

Closing Remarks

The Committee hopes that the conclusions and recommendations presented in this report prove useful to the Legislature and others in looking ahead to the implementation phase of the watershed management program. Considerable progress in terms of planning has been made since passage of Chapter 90.82 RCW. Following through on the recommendations provided in this report will help to ensure that planning units, lead agencies and implementing organizations have the tools and resources they need to carry out their watershed plans successfully, thereby bringing the watershed management program to fruition. This can provide a basis for current and future economic vitality and watershed health across the State.

Section 1
Introduction and Purpose

In 1998 the Washington State Legislature authorized a new program to provide for Watershed Planning throughout the State (Chapter 90.82 RCW). This voluntary grant program provides funding for local watershed planning units to develop watershed management plans. Each plan may cover a geographic area encompassing one or more of the State's 62 Water Resource Inventory Areas (WRIAs). Planning Units have a time period of four years from the time they begin Phase 2 to the time they complete their watershed plans. Planning units, if formed, must address water quantity issues within their selected WRIA(s). They also have the option to address water quality, habitat and instream-flow setting.

The Planning Process under Chapter 90.82 RCW is divided into three phases. Phase 1 involves organizing a watershed planning unit and defining the scope of the planning activity. Phase 2 involves assessing watershed conditions. Phase 3 covers development of the watershed management plan.

At this time a number of Planning Units are nearing completion of Phase 3. There is considerable interest across the state in examining how watershed plans can be implemented following their completion. With reference to the three-phase process of developing a plan, this implementation activity can be considered "Phase 4." This Report to the Legislature addresses "Phase 4" implementation of watershed plans.[1]

1.1 Legislative Authorization and Committee History

During the 2001 Session, the Legislature passed a budget proviso which authorized creation of "a blue-ribbon panel to develop long-term watershed planning implementation funding options." Governor Gary Locke subsequently invited a diverse group of watershed planning participants to serve on the Phase 4 Watershed Planning Implementation Committee. Members of the Committee are listed on page i of this report. In forming the Committee, careful consideration was given to balancing interest groups involved in the watershed planning process and providing geographic representation from across the State.

The Department of Ecology (Ecology) received funding to set up and staff this activity. Ecology retained the services of a consulting firm, Economic and Engineering Services, Inc., to facilitate Committee discussions and assist in development of this report. Together with personnel from Ecology's watershed planning support team, this comprised the Committee staff.

The Committee held a series of 7 meetings, from April through October, 2002 to identify key issues related to funding and implementation of watershed plans and develop recommendations to the Legislature and individual planning units. Because funding needed for implementation

[1] Phases I, II and III have been addressed in two guidance manuals: *Guide to Watershed Planning and Management*, 1999; and *Guide to Watershed Planning and Management, Addendum No. 1*, 2001. Both were developed by a group of statewide associations in partnership with the Department of Ecology. Both documents are available from Ecology.

requires a thorough understanding of the implementation process, the Committee understands its charge to be relatively broad, and to include elements such as:

- Developing an inventory of the types of activities that may be included in final watershed management plans, together with the costs of those activities.
- Developing an understanding of the overall context for implementing watershed plans, including the relationship to existing water-resource management programs and funding sources;
- Developing an understanding of possible approaches to coordination and oversight of the implementation process, that may be applied in different WRIAs across the state, and understanding how this relates to possible funding sources.

It should be noted that, as the Committee carried out its assignment, no watershed plans had yet been completed, except a limited number in draft form. Therefore, the actions to be recommended in watershed plans could not be defined in detail. The Committee identified categories of actions, and used available information from those planning units nearing their completion dates to estimate needs. However, due to this limitation, some of the conclusions and recommendations in this report may need to be refined or modified at the time watershed plans are approved and adopted in WRIAs across the State.

This report was initially issued in draft form, and was made available for public comment in October 2002. On November 19, 2002, a public workshop was held to address watershed plan implementation and investment in the State's water resources infrastructure. This workshop included participation by several legislators from legislative committees that oversee the watershed planning program, as well as Governor Gary Locke. The discussion and comments from the workshop, as well as written comments provided by the public, were reviewed and discussed by the Committee in December 2002. Based on this information, several revisions were made to the report. A full list of comments and responses is included in Appendix H, incorporating feedback from both the workshop and written comments received.

1.2 What Actions will be Included in Implementation of Watershed Plans?

In order to better understand implementation needs for watershed plans, it is important to understand what types of activities will be involved in the implementation phase. The Committee finds that implementing watershed plans will include three complementary elements:

1. Carrying out *actions* defined in the watershed plan. These actions are described in Section 2, and generally include construction of infrastructure, restoration of physical characteristics of the watershed, and programmatic activities to improve watershed conditions or extend water supplies. It is anticipated that these actions will be the most costly of the three types of activities described here.
2. *Coordination and oversight* of the implementation process. This may include a number of inter-related activities, such as seeking funding; tracking progress towards implementation milestones; making adjustments to respond to new information and changing conditions; coordinating the many implementation actions being performed by different organizations in

the watershed; and responding to local needs and concerns as expressed by elected officials, stakeholders and the public. Coordination and oversight of the implementation process will require funding and staffing, but will have relatively modest cost implications, compared with the cost of carrying out specific projects and programs.

3. *Supporting activities.* These include public outreach and education; long-term monitoring activities and associated research; data management; and program evaluation. These supporting activities can involve a wide range of costs, depending on the type of activity involved.

The way these three elements interact will vary substantially, depending on the content of individual watershed plans. Likewise, their impact on the implementation phase will vary. It is important to note that these three elements need not be performed by a single organization. Just as the planning process is designed as a collaborative, multi-party effort, so will implementation likely require coordinated actions by a variety of organizations in each watershed. Because of this, there is no single organizational model that can apply to all WRIAs in the state. This has important implications for how the implementation process is organized and funded in each WRIA. These issues will be explored further throughout this report.

1.3 Current Status of Watershed Planning Activity

This section briefly summarizes the current status of watershed planning efforts from around the state. Table 1-1 lists all active Planning Units, together with their watershed planning grant phase as of October 2002, and the due date for their watershed plans. The Water Resource Inventory Areas (WRIAs) associated with these Planning Units are displayed in Exhibit 1-1.

Table 1-1
2514 Watershed Planning Status as of October 2002

WRIA	Name	Phase [2]	Plan Due	WRIA	Name	Phase [1]	Plan Due
1	Nooksack	3	Fall 03	30	Klickitat	3	Sum 04
2	San Juan	3	Fall 03	31	Rock Glade	1	2007
3/4	Low/Upper Skagit	3	Fall 03	32	Walla Walla	3	Sum 05
6	Island	3	Spr 05	34	Palouse	1	2007
11	Nisqually	3	Fall 03	35	Middle Snake	1	2007
12	Chambers/Clover	3	Fall 04	37/38/39	Yakima/Naches	3	Fall 03
13	Deschutes	3	Fall 04	43	Upper Crab-Wilson	1/2	Fall 06
14	Kennedy-Goldsborough	3	Win 05	44/50	Moses Coulee/Foster Creek	3	Fall 04
15	Kitsap	3	Spr 05	45	Wenatchee	2	Sum 05
16	Skokomish-Dosewallips	3	Win 05	46	Entiat	3	Fall 03
17	Quilcene-Snow	3	Win 04	48	Methow	2	Fall 03
18	Elwha-Dungeness	3	Fall 03	55/57	Low/Middle Spokane	3	Win 04
19/20	Lyre-Hoko/ Soleduck/Hoh	2	Sum 05	56	Hangman	3	Win 04
22/23	Lower/Upper Chehalis	3	Win 04	59	Colville	3	Fall 04
25/26	Grays-Elochoman/Cowlitz	3	Sum 04	60	Kettle	2	Spr 06
27/28	Lewis/Salmon-Washougal	3	Sum 04	62	Pend Oreille	3	Fall 04
29	Wind/White Salmon	2	Spr 05				

[1] Phase 1, 2, or 3 refers to whether grant funds have been received for that phase.

As shown in the table, 33 separate Planning Units are engaged in the watershed planning process. Collectively, they cover 42 of the State's 62 WRIAs. Due dates for watershed plans are distributed as follows:

- 2003 - 8 plans due
- 2004 - 12 plans due
- 2005 - 8 plans due
- 2006 - 2 plans due
- 2007 - 3 plans due

Since over half of these plans will be completed during 2003 and 2004, it is vital that implementation issues and funding sources be addressed quickly.

Additional information on specific WRIAs and the watershed planning process can be found on the Washington State Department of Ecology Web site at:

- http://www.ecy.wa.gov/watershed/index.html

In addition, information on WRIAs is included in the November 2001 report by the Office of Financial Management entitled Assessment of Watershed Planning - Report to the Legislature. An update to this report is anticipated early in 2003.

1.4 Watershed Planning Outside Framework of Chapter 90.82 RCW

The Committee notes that in some parts of the State, water-resources planning is being pursued outside the framework of Chapter 90.82 RCW, but with many of the same characteristics of collaborative involvement and comprehensive scope. The Committee did not explore these alternate processes in detail, but notes that many of the findings and recommendations contained in this report may apply to those processes as well. In addition, planning processes outside the framework of Chapter 90.82 RCW may be worthy of funding for implementation activities, as long as they are carried out in a fashion that is consistent with the overall purpose and intent of the State's watershed planning program.

1.5 Content of this Report

Following this introductory section, this report contains Sections 2 through 7, as follows:

- Section 2: Assessment of Planned Actions and Funding Needs
- Section 3: Role of Coordination and Oversight in Implementing Watershed Plans
- Section 4: Funding Implementation of Watershed Plans
- Section 5: Monitoring, Data Management and Related Issues
- Section 6: Flexibility and Adaptation in Plan Implementation
- Section 7: Conclusions

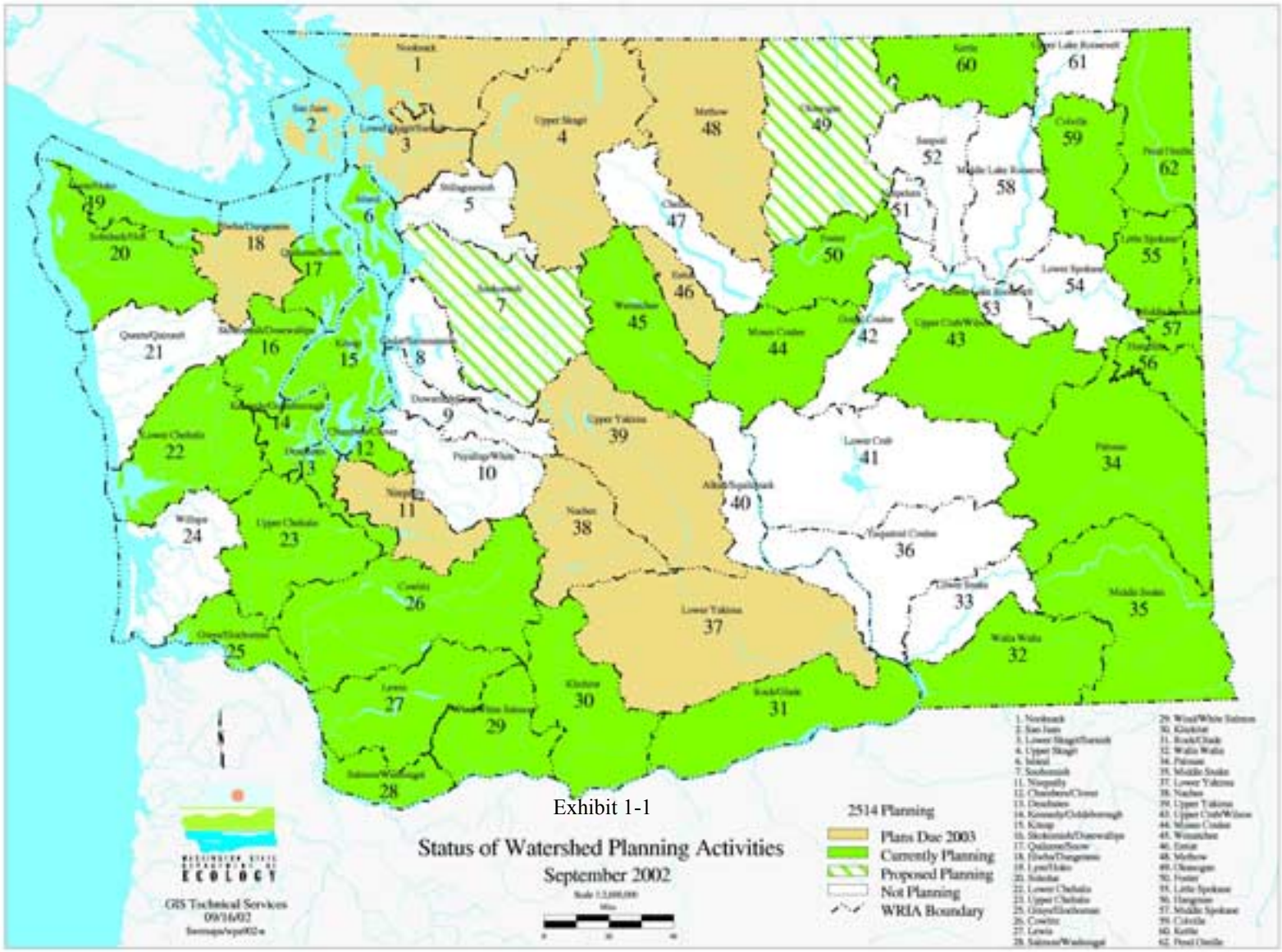

Status of Watershed Planning Activities
September 2002
2514 Planning
Plans Due 2003
Currently Planning
Proposed Planning
Not Planning
WRIA Boundary
ECOLOGY
GIS Technical Services
09/16/02

Exhibit 1-1

Section 2
Assessment of Planned Actions and Funding Needs

In order to anticipate and prepare for implementation challenges, it is important to take inventory of the kinds of actions that will be included in approved watershed plans. While the Watershed Management Act itself provides guidance on plan content, the real details will emerge from individual planning units around the state.

This Section summarizes available information on projects and programs that may be included in watershed plans. In addition, this Section presents estimates of potential funding needs for implementing these projects and programs. Throughout this Section, it should be noted that *most Planning Units have not yet defined the list of actions that will be included in their watershed plans*. Therefore, this effort is preliminary, and relies on many assumptions. The information presented in this Section will need to be updated as watershed plans are completed and approved.

As noted in Section 1 of this report, the Committee has identified three complementary elements for implementing watershed plans in each WRIA:

1. *Actions* defined in the watershed plan, including construction projects, watershed restoration activities, and implementation of specific programs;
2. *Coordination and oversight* of the implementation process;
3. *Supporting activities*, including long-term monitoring of watershed conditions, data management, and public education and outreach activities.

Each of these elements is discussed in this Section. However, the majority of the discussion centers on the first element, since it is anticipated that this will be the most costly, and is also the element that will produce the results intended by the planning program. The Committee also notes, however, that the remaining two elements are essential in ensuring that actions can be carried out effectively, and that funds for carrying out watershed actions are invested for maximum benefit.

2.1 Assessment of Planned Actions

During Spring 2002 the Department of Ecology (Ecology) surveyed Planning Units to determine what actions were anticipated for inclusion in watershed plans. This effort was undertaken as part of the process of developing a statewide Environmental Impact Statement (EIS) for watershed plans. Staff of the Phase 4 Watershed Plan Implementation Committee collaborated with Ecology staff in designing the survey, to ensure that information gathered could also be used for assessing actions and funding needs. The survey included a set of open-ended questions regarding the types of projects or programs they anticipated including in watershed plans.

The surveys were distributed to Planning Units through 14 Department of Ecology watershed leads representing, at that time, 32 watershed planning efforts in 41 Water Resource Inventory Areas. The purpose of distributing the questionnaire through the leads was to allow them an opportunity to provide background information to the Planning Units concerning the Phase 4 effort and the statewide Watershed Planning EIS, as well as to explain the purpose of the questionnaire. Six Planning Units provided written responses to the questionnaires. This information was supplemented by interviews of five watershed leads representing an additional nine watershed planning efforts. A number of the watershed leads and lead agencies that did not provide responses to the questionnaire indicated that their planning efforts had not advanced to the point where specific actions had been identified for inclusion in their watershed plan. Others indicated that while there had been some initial deliberation concerning actions that might be included in their watershed plans, they considered the identified actions too tentative or preliminary to identify as probable elements of their plans.

In summary, efforts to inventory actions that will be included in watershed plans can offer only provisional results at this time. The survey process did not yield a list of well-defined projects and programs that will need to be implemented. However, based on the survey, Ecology was able to assemble a comprehensive list of action categories under consideration by planning units from around the state. In order to use this list for estimating potential costs of implementation, staff of the Phase 4 Watershed Plan Implementation Committee modified it slightly to improve definition among categories and capture additional elements such as needs for watershed monitoring. With these modifications, the list of action categories gathered from Planning Units is presented in Table 2-1.

Table 2-1
Potential Actions Identified by Planning Units [1]

Water Quantity Projects or Programs
Water Conservation
- Municipal and industrial projects
- Irrigation district projects
- On-farm projects
Water Management and Transfers
- Voluntary transfers to Trust Water Right Program
- Agreements to share regional supplies
- Adjudication of a basin or sub-basin
- Watermaster for basin, sub-basin, or other area
- Enforcement against illegal water use
- Identify existing water rights subject to relinquishment
- Minimize use of wells
- Restrict siting of wells in proximity to stream
- Restrict finished depth of new wells to second aquifer unit or less
- Alter operations of existing storage facilities
Protect or Enhance Hydrologic Functions
- Manage runoff timing and quantity
- Protect/restore floodplains and wetlands to store water
Reclamation and Re-use
- Construct and operate reclamation and reuse facilities
Development of New Supply
- New wells
- New stream diversions

Table 2-1 (cont)
Potential Actions Identified by Planning Units [1]

Water Quantity Projects or Programs (cont.)

Storage and Supply Infrastructure
- New or upgraded surface storage (on-channel or off-channel)
- Aquifer storage and recovery (ASR)
- New pipelines or interties

Water Quality Projects or Programs

Point Source Pollution Control
- Construct reclamation and reuse facilities
- Create a pollution trading system
- Assist industries and municipalities improve wastewater discharge quality
- Require hatcheries to follow Hatchery Scientific Review Group recommendations
- Increase inspections of dairies and enforcement of regulations

Non-point Source Pollution Control
- Modify irrigation/conservation districts mgt. plans to meet Total Maximum Daily Load (TMDL) requirements
- Conservation districts to update farm plans
- Implement recommendations of the Forest and Fish Report
- Implement existing water quality plans
- Public education program
- Measure non-point source pollution
- Stormwater management plans

Activities on Land and Along Shorelines
- Update and adjust local land use plans, shoreline programs, critical areas ordinances to achieve consistency with watershed plans

Habitat Projects or Programs

Instream Modifications
- Modifications to promote fish passage and habitat
- Estuary restoration

Out-of-stream Modifications
- Riparian habitat restoration
- Floodplain restoration and channel maintenance

Land/Shoreline Use Modifications
- Implement land use and shoreline plans to protect habitat and control floodplain development
- Control sources of sediment
- Integrate habitat improvement planning into flood hazard reduction plans
- Modify management plans of irrigation and conservation districts
- Purchase conservation easements
- Enforce Shoreline Management Act in critical habitat areas

[1] While each of these actions may be included in some watershed plans, it is unlikely that any individual watershed plan would contain all of the actions listed.

At this time, assessment of the actions that may be included in watershed plans is limited to this general list. Given the status of information available at the time the Committee prepared this report, it is not possible to provide a definitive listing of the number or location of projects in each category, nor to define the scope or extent of these activities in the various WRIAs. Nonetheless, this list of action categories is useful in shaping assumptions and expectations about implementation needs. In this context, the list of action categories in Table 2-1 will be used as the basis of discussion throughout the remainder of this report.

For purposes of evaluating implementation needs, it is useful to draw a distinction between ***capital projects*** and ***programmatic activities***. Within each of the main categories above (water quantity, water quality, and habitat), both capital projects and programmatic activities are listed. For example, under the water quantity grouping, water rights transfers would generally be implemented through programmatic activities; while construction of reclamation and reuse facilities would consist primarily of capital projects. This has implications for various aspects of implementation, including the timing and duration of funding needs; legal authorities to carry out specific actions; and the roles and responsibilities of various entities in implementing the watershed plan. Therefore, this breakdown of capital projects and programmatic activities will be discussed throughout this report.

2.2 Method for Assessing Potential Funding Needs

At the time the Committee was convened, it was recognized that it would be desirable to assemble a comprehensive listing of actions and associated costs for implementing watershed plans. For the reasons discussed in Section 2.1, it is apparent that such a listing cannot be assembled at this time. Further progress can be made, however, in 2003 and 2004, as the first watershed plans are approved by Planning Units, deliberated by the public, and ultimately approved by the legislative authorities of the respective counties involved.

In the absence of sound data on planned actions, the Committee discussed a variety of approaches to carrying out its assigned activities. The Committee decided to research "representative" projects that have been either undertaken or defined at a detailed level somewhere in the State of Washington or Pacific Northwest. EES staff identified representative projects or programs, and contacted applicable staff or involved organizations, other experts or reviewed reports from local water districts, conservation districts, and state departments to obtain information on costs and scope.

In some cases, specific examples of projects or programs were less helpful, due to the wide variability in cost among similar projects. For example, well construction costs can vary significantly depending upon the underlying rock structure. In these cases of significant variability from project to project, standard industry costs were used if such standards could be readily identified. These standard costs are averages and therefore factor in variability among projects. In a few instances, project and program detail was provided by experts in the respective fields, or pulled from technical reports produced by local jurisdictions or state agencies.

The location of projects and programs is an important factor in the scope and ultimately the costs of projects and programs. Differences in population density, climate, and the natural

environment may make a project more or less expensive. Therefore, efforts were made to review representative programs and projects located throughout the state of Washington.[1]

2.3 Results of Preliminary Funding Needs Assessment

Using the approach described above, Table 2-2 provides an illustrative overview of representative costs associated with implementing projects from watershed plans. For purposes of consistency, all costs include an up-front capital cost, as well as annual operations and maintenance costs estimated over a ten-year time frame. Further documentation of representative projects and assumptions is included in Appendix D.

Data from representative projects was not obtained for every category of action listed in Table 2-1. Categories for which costs were not obtained include:

- Water Quantity:
  - Restrict siting of new wells near streams
  - Encourage agreements to share regional supplies
  - Construct new or upgrade existing on-channel storage facilities
  - Promote greywater segregation
- Water Quality
  - Create a pollution trading system
  - Require hatcheries to follow Hatchery Scientific Review Group Recommendations
  - Implement existing water quality plans
  - Update and adjust local land use plans, shoreline programs, critical areas ordinances to achieve consistency with watershed plans
  - Create and implement stormwater management programs

[1] In one instance, project costs were derived from outside the state: a transmission line construction project located in Portland, Oregon.

Table 2-2
Cost of Representative Projects and Programs

Action Category	Basis for Cost	Representative Project/Program		Costs per Individual Project/Program			
				Capital Costs		Annual On-Going	
		Small	Large	Small	Large	Small	Large
Water Quantity							
Conservation Programs (Municipal & Industrial)	City of Bremerton (small), City of Tacoma (large)	City of Bremerton	City of Tacoma	$2,500	$5,000	$26,500	$395,000
Conservation Programs (Irrigation District)	Yakima River Basin Water Enhancement Projects	1/3 of large	Median of Yakima River basin irrigation districts projects	$6,000,000	$18,000,000	$300,000	$900,000
Conservation Programs (On-Farm)	Industry standard estimate to convert from gravity to pressure	250 acres	1,000 acres	$250,000	$1,000,000	$37,500	$150,000
Voluntary Transfers of Water Rights - Sales[1]	Walla Walla Basin water rights purchase	100 acre feet	1,000 acre feet	$60,000	$600,000	none	none
Voluntary Transfers of Water Rights - Leases[1]	Hypothetical Walla Walla Basin water rights lease	100 acre feet	1,000 acre feet	$6,000	$60,000	none	none
Adjudication of basin	Yakima River Basin adjudication	10 years	10 years	nominal	nominal	$1,000,000	$1,000,000
Watermaster or similar	Current watermaster data	0.5 FTE	1 FTE	$20,000	$20,000	$30,000	$55,000
Replace private wells with public system connections	Skagit County Public Utility District	100 miles of pipeline	100 miles of pipeline	$9,606,000	$9,606,000	$115,200	$115,200
Restrict well depth to second aquifer or lower	Industry standard estimate of well drilling costs	Increase depth 50 feet for 150 new wells per utility	Increase depth 50 feet for 150 new wells per utility	$12,000,000	$12,000,000	nominal	nominal
Alter operations of existing storage facilities	Seattle City Light's Skagit River Project	3 dams	3 dams	nominal	nominal	$220,000,000	$220,000,000
Construct and operate reclamation and reuse facilities	Average cost of Ephrata, Yelm, and Sequim projects	1 mgd production	10 mgd production	$8,800,000	$88,000,000	$200,000	$2,000,000
New well construction	Industry standard estimate of well drilling costs	Shallow aquifer; well sited near other wells	Deep aquifer; well siting in a new location	$46,000	$106,000	$7,500	$7,500
New stream diversions	Lake Kachess augmentation	Divert 2 streams to augment Kachess reservoir	Divert 2 streams to augment Kachess reservoir	$12,200,000	$12,000,000	$122,000	$122,000
New or upgraded surface storage (off channel)	Judy Reservoir raising	Raise dam 10 feet	Raise dam 10 feet	$10,000,000	$10,000,000	nominal	nominal
Aquifer Storage Recharge	City of Walla Walla	2 wells to produce 4,900 gpm	2 wells to produce 4,900 gpm	$1,800,000	$1,800,000	$180,000	$180,000

[1] Includes transfers to State of Washington Water Rights Trust Program. Also includes transfers among water users.

Table 2-2 (cont)
Cost of Representative Projects and Programs

Action Category	Basis for Cost	Representative Project/Program		Costs per Individual Project/Program			
				Capital Costs		Annual On-Going	
		Small	Large	Small	Large	Small	Large
Water Quality							
Assist private industries improve wastewater discharge	Treatment facility upgrade (small) new treatment facility (large)	Industrial upgrade	Replace industrial WWTP	$25,000	$20,000,000	$--	$200,000
Improve municipal wastewater discharge quality	Enumclaw WWTP improvements (small) Centralia WWTP (large)	Municipal upgrade	Replace municipal WWTP	$135,000	$27,000,000	$--	$270,000
Increase inspections of dairies and enforcement of regulations	Ecology's current dairy inspection program	Increase of 3 Inspectors statewide	Increase of 6 Inspectors statewide	$30,000	$60,000	$196,000	$393,000
Monitor assist and enforce farm practices	Sunnyside Irrigation District monitoring and enforcement program	2 FTEs	4 FTEs	$25,000	$100,000	$50,000	$150,000
Capital projects	Dungeness tight-lining ditch and re-regulating reservoir (small) North Fork Nooksack sediment reduction (large)	Small scale project	Large scale project	$250,000	$500,000	$--	$--
Public education program	Bellingham Stream Management and Education Project	Community level program	County level program	$10,000	$20,000	$157,000	$314,000
Habitat							
Modifications to Habitat	Projects requested to Salmon Recovery Funding Board in 2002	Project requests to SRFB in 2002: Fish passage improvements, barrier removal, culvert removal, etc.					$57,208,716
Protect/restore floodplains to store water	Green River levee break (near Auburn)	2 breaks in existing levee	2 breaks in existing levee	$300,000	$300,000	nominal	nominal
Instream Flow							
Rule-making by Ecology	Agency administrative costs	Staff time/ expenses	Staff time/ expenses	NA	NA	To be determined	To be determined

Assumptions:
For examples where O&M costs are not available it was estimated to be 1 percent of the capital cost.
Where annual ongoing costs are not included they are considered to be nominal.

In addition to reviewing costs of representative projects, the Committee explored how these costs might be extrapolated statewide to provide an estimate of total cost for implementing the actions in watershed plans. This proved to be challenging, with high uncertainty, for the reasons described in Section 2.1. An initial attempt at extrapolating costs statewide was carried out, and is presented in Appendix E. The total statewide extrapolation shown in the appendix amounts to approximately $5.9 billion. While this amount obviously represents a large investment, several comments are in order:

- The costs shown in Appendix E are estimates based on numerous assumptions. One assumption that has a large impact on the total is the number of projects in each category that will be recommended by planning units across the state. While the Appendix offers one estimate of the number of projects, the actual number could be quite different when plans are completed. Therefore, actual implementation costs may be substantially higher or lower than the estimated total.

- The resource requirements for the implementation of watershed plans do not represent necessarily a "new" layer of water resource needs. Instead, watershed plans will partially overlap with existing needs for water-related infrastructure and programs. This consideration is described in greater detail in Section 4.1 of this report. The extent of this overlap cannot be defined at this time, due to inadequate information on projects that will be included in watershed plans. However, the Committee anticipates that this overlap may be extensive.

- While the estimate is highly uncertain, the Committee does believe that costs for constructing water infrastructure projects and implementing watershed management programs will probably be in the billions of dollars. This is due to the fact that watershed planning offers a comprehensive framework that addresses many different needs, including water supply, water quality improvements, instream flow management, and habitat enhancement. Each of these elements by itself has substantial cost implications. When they are combined, they represent a very large investment need.

- Many of the costs shown in the Appendix can be financed with existing funding sources, at the state, federal, and local levels. For example, projects that are eligible for funding from the Centennial Clean Water Fund, Public Works Trust Fund, Salmon Recovery Fund, and other sources represent a portion of the projects listed in the table. Moreover, many of these projects may be funded, at least in part, by federal, local, or even private sector sources. Further information on this point is provided in Section 4 of this report.

- At the same time, the Committee believes that existing funding sources cannot adequately fund all of the projects that will be needed. State action will be needed in order to provide adequate funding for implementation of the actions contained in watershed plans.

- Expenditures on water resources should be viewed as a critical investment in the State's future. The State's watershed planning program is designed to improve access to water supplies, support economic development, improve water quality, enhance ecosystem health, and restore fish habitat. While the costs are substantial, the potential benefits to citizens of the State are also very high. The value of watershed planning is that, by reviewing watershed needs and potential solutions in a comprehensive framework, the projects and programs recommended should be better able to provide value for multiple objectives, and to reduce duplication. This approach can also help to avoid unintended, negative impacts that can occur with more narrowly focused efforts. Therefore, though the total cost appears high, watershed planning actually offers the potential to maximize the benefits of water resource investments.

2.4 Costs for Coordination and Oversight of Watershed Plan Implementation

Section 3 of this report discusses the importance of coordination and oversight during the implementation process. Effective approaches to coordination and oversight are vital to ensuring the success of watershed plans. Yet these activities will also require funding, above and beyond the costs of infrastructure projects and watershed management programs themselves.

Costs for coordination and oversight are relatively small, in comparison with costs for infrastructure projects and watershed management programs. The Committee estimates that coordination and oversight for a "typical" WRIA will cost on the order of $100,000 per year. This amount would cover elements such as:

- Staff to track implementation, work with implementing agencies to shape projects and resolve conflicts, continue meeting with Planning Units or their successor groups to review progress and make recommendations, organize ongoing data collection and management efforts, pursue grant and loan opportunities, oversee contracts, and coordinate adaptive management responses as needs and conditions change.

- Office space and equipment related to these activities.

- Expenses associated with these activities, such as travel, telephone, report reproduction and mailing, etc.

Without providing this "focal point" during the implementation process, there is a risk that the collective momentum gained during the planning phase will dissipate, and slow or hinder implementation. Therefore, this expenditure appears to be a valuable investment in the success of the overall watershed planning effort. Section 4.4.1 presents a proposal for State funding of this amount, including a matching requirement and gradual phaseout.

2.5 Costs for Supporting Activities

As noted in Section 1, a third category of activities in the implementation phase will be "supporting activities." These include elements such as long-term monitoring efforts, data management and analysis, periodic evaluation of program effectiveness, and public outreach and education. These activities also have associated costs. At this time the Committee has not developed a comprehensive estimate of these costs. They may vary substantially from WRIA to WRIA, depending on the nature and content of the watershed plans produced.

These costs are not included in Table 2-2, nor in Appendix E. In general these costs may be on the order of 5 to 15 percent of the costs of the actions discussed in Section 2.3. While supporting activities will cost far less than the actions listed in Table 2-2, they will need to be accounted for and funded, if watershed plan implementation is to be successful.

Section 3
Role of Coordination and Oversight in Implementing Watershed Plans

This section explores issues related to coordination and oversight of the implementation process. The Watershed Plan Implementation Committee views this topic as essential to the success of watershed plans statewide. At the same time, the Committee finds that there are a number of alternative approaches to this issue. Each planning unit and/or the organizations that implement the plan, will need to consider the approach that works best in their local area.

Section 4 of this report discusses funding needs associated with coordination and oversight of the implementation process, and recommends the State provide matching grants to assist in this process.

3.1 Who Will Implement a Watershed Plan?

Section 2.1 of this report lists a wide range of actions that could be included in watershed plans. Carrying out these actions in each WRIA is likely to be complex and challenging. However, at this time there is no clear framework for how this will be done, nor who will carry out the provisions of the watershed plan in each WRIA. To understand this point fully, a comparison with other types of planning efforts is instructive:

- In the field of local land-use planning, a local jurisdiction such as a city or county develops the plan, with the input of stakeholders and the public. The same jurisdiction then carries out the provisions of the plan by passing ordinances, issuing building permits, and administering related programs such as shoreline master programs, etc. The authority to carry out these actions is expressly granted in state law.

- In the field of water system planning, a public water system (which may be owned by a city, county, water district, private company, etc.) identifies infrastructure and other needs and devises a program to meet those needs. The same organization then implements its plan, by financing and constructing capital improvements, administering programs, and carrying out system operations. The various entities charged with developing water system plans have clear authorities to implement these actions under state law.

Many other planning processes are similar, in the sense that *the organization charged with developing the plan also has the responsibility and authority for carrying out the plan*.

Watershed plans are fundamentally different from these examples. Planning units themselves do not have the authority in state law to carry out the kinds of water resource or land management actions that are involved in managing watersheds. Moreover, most planning units lack the operational capacity to finance, manage, or administer water-resource management programs. Planning units typically include a broad representation of government entities, private organizations, and local citizens. These planning units are authorized under Chapter 90.82 RCW to develop the watershed plan, and recommend it for approval by the counties in their respective

WRIAs[1]. Final approval of the plan is reserved to the counties in the WRIAs involved. The planning units themselves have no authority to issue bonds, construct physical infrastructure, regulate public or private entities, etc. In fact, Chapter 90.82.120 lists a wide range of express limitations on the watershed plan, which, in effect, are limitations on the authority of the planning unit.

Therefore, each planning unit will identify and recommend water-resource management actions in their plans, but the planning unit itself will not be in a position to implement these actions. Instead, the law envisions the various individual members of the planning unit (e.g. county governments, irrigation districts, state agencies, Indian tribes, private businesses, nonprofits etc.) taking on specific obligations, at their own option (Chapter 90.82.130). In addition, a planning unit can make recommendations to entities that have specific legal authorities. For example, the planning unit may recommend amendment of local ordinances, state rules, or permits. However, the organizations with authority to carry out these changes are not required to do so involuntarily[2].

Given these limitations on the planning unit's authority, the intent of this chapter is to suggest:

- How planning units or implementing organizations can develop institutional arrangements to ensure plan elements will be implemented, consistent with the watershed plan, state law and the responsibilities and authorities of various organizations;
- How the State of Washington can assist in providing for a stable, long-term framework to implement watershed plans, including modifications to Chapter 90.82 RCW, if necessary;
- How differences in needs, organizations, and financial resources among local areas around the state can be addressed in developing effective arrangements for coordination and oversight; and
- How the diverse and collaborative nature of planning units can be carried forward into the implementation phase, as other organizations carry out the provisions of the watershed plan.

3.2 Criteria for an Effective Implementation Framework

As discussed previously, there are alternative approaches to structuring a framework to implement watershed plans. There should be flexibility in how these frameworks are structured to meet local conditions. In order to assist in determining what type of structure can be most effective in each local area, some criteria for comparing alternatives may be useful.

The Committee has identified the following criteria to assist in evaluating alternative administrative structures for implementation of watershed plans. These are divided into the three main activities discussed in Section 1.2: actions to carry out specific provisions of the watershed plan; coordination and oversight of the implementation process; and supporting activities.

[1] The Watershed Plan has no force in law, unless approved by the counties.

[2] Upon final approval of a watershed plan by the county legislative authorities, the law requires counties and state agencies to adopt ordinances and rules implementing the obligations which they voluntarily accepted during the planning process. Other entities are not included in this provision.

3.2.1 Criteria Related to Implementing Specific Actions Recommended in the Watershed Plan

- Effective in working across local jurisdictional boundaries;
- Legal authority to construct and maintain projects, and to implement water-resource management programs;
- Adequate staffing, financial resources, and technical capability to construct and maintain projects, and to implement water-resource management programs;
- Local leadership and accountability, including involvement by elected officials;
- Preserve independent decision-making authority of local governments and organizations, with regard to their facilities and responsibilities;
- Minimize or avoid new layers of bureaucracy and regulation, including permitting requirements affecting local citizens and business activities.

3.2.2 Criteria Related to Coordination and Oversight of the Implementation Process

- Effective in working across local jurisdictional boundaries;
- Local leadership and accountability, including involvement by elected officials;
- Adequate staff resources with appropriate technical capabilities to oversee implementation of watershed plan;
- Adequate managerial capacity
- Adequate financial resources and/or ability to administer funds from outside sources;

3.2.3 Criteria Related to Supporting Activities

- Adequate staffing, financial resources, and technical capability perform supporting activities, such as long-term monitoring, research, data-management, and public outreach and education.

In the next section of this report, these criteria are applied to different approaches for managing the implementation process.

3.3 Alternatives for Coordination and Oversight of Watershed Plans

Based on the discussion above, the Committee identified five alternative approaches to coordination and oversight during implementation of watershed plans:

1. *Lead agencies* under Chapter 90.82 RCW could administer implementation. Currently funding for each watershed plan is administered through a lead agency, selected by the initiating governments under Chapter 90.82.060. These lead agencies are very diverse. In the various WRIAs across the state, lead agencies include: a county planning department; a conservation district; an inter-local boards; among other arrangements. These organizations

have familiarity with the watershed planning process, and in some cases have staff who have been assigned to manage the planning process or serve as staff to the respective planning units. This arrangement could be carried into the implementation phase.

2. *Planning Units* under Chapter 90.82 RCW could administer implementation. Planning units have been discussed above (Section 3.1). While they have significant limitations in regards to administration of the implementation process, they also have some important characteristics that should be considered in evaluating the alternatives presented here. In the course of developing the watershed plan, Planning Units develop a comprehensive vision of water resource needs in their WRIA. In addition, they have the opportunity to develop a productive rapport and collaborative relationships among local governments, special districts, state agencies, private sector organizations and local citizens. At a minimum, Planning Units have an important role to play in an advisory capacity during the implementation phase.

3. *Individual organizations* (counties, cities, districts, etc.) carry out their implementation actions *separately*, with no centralized administration process. Under this model, each entity that agrees to carry out a provision of the watershed plan will then follow through using its own, internal process. Under this option, there would be some coordination, but no centralized process or designee to coordinate and administer the implementation process.

4. *Individual organizations* carry out their implementation actions *jointly*, in a highly coordinated fashion, within the framework of an inter-local agreement or other coordinating mechanism. In contrast with the previous alternative, this would involve a strong coordination mechanism, to ensure each entity's implementation actions are consistent with the watershed plan and coordinated with other entities' actions. This joint administrative process could include elements such as tracking milestones; providing liaison to elected officials; pursuing grant or loan funding; maintaining data in an accessible repository; and providing for adaptive management over time. Also see discussion of "implementing governments" in Section 3.4.

5. A *Water Resource District*, a new type of special district to be authorized in state law, administers implementation. State law authorizes formation of special districts for a variety of purposes. It would be valuable to provide the option for local governments to form a new type of special district, that could administer implementation of a watershed plan in the geographic context of a full WRIA. Key aspects would include: formation as a local option by citizen vote; a jurisdiction aligned with the WRIA boundaries; taxing authority to the extent granted by citizen vote; a board whose members are either elected locally or appointed by local elected officials; and the legal authority to administer implementation of watershed plans. For further information on this concept, see Appendix B.

   These options are not necessarily exhaustive. Planning Units or implementing organizations may identify other approaches that are effective in the local context.

Tables 3-1 and 3-2 provide an evaluation of how the criteria discussed in the previous section apply to each of these alternatives. The five different approaches are considered first with respect to the coordination and oversight functions in implementing a watershed plan; and then with respect to the implementation of specific water-resource management actions (i.e. specific infrastructure projects, watershed management programs, etc.).

The sole criterion identified for carrying out supporting activities, such as monitoring, data management, and public education, is adequacy of resources (e.g. staffing, financial resources, and technical capability). In general, application of this criterion to the five alternative approaches will closely mirror the entries in Table 3-2, under the column heading "staffing, financial, technical resources."

The Committee does not intend to recommend that any one of these five alternatives be selected as preferable in all areas of the State. Rather, Planning Units and/or implementing organizations should review these alternatives, or others that may be locally applicable, to determine the best approach to implementing their watershed plan.

Table 3-1
Evaluation of Alternative Approaches to Coordination and Oversight During Implementation

	Effective Across Jurisdictions	Local Leadership & Accountability	Staff resources	Managerial Capacity	Financial Resources or Ability to Administer Outside Funding	Durability over Implementation Period (e.g. 5 – 10 years)
Lead Agency	Varies	✓	Varies	Varies	✓	Varies
Planning Unit	✓	Limited accountability	Would need to develop	No	No	Unknown
Individual Organizations Acting Separately	No	✓	Not well suited to WRIA-wide administration	Not well suited to WRIA-wide administration	Varies	✓
Individual Organizations acting Jointly	✓ (would require effective management)	✓	✓	✓ (would need to be coordinated carefully)	✓	Unknown (would require effective management)
New Type of Special District	✓	✓	Would need to develop	✓	✓	✓

Table 3-2
Evaluation of Alternative Approaches to Implementing Specific Actions from Watershed Plan

	Effective Across Jurisdictions	Legal Authority to Implement Actions	Staffing, financial, technical resources	Local Leadership & Accountability	Preserve Independent Decision-making of Local Organizations	Minimize New Bureaucracy and Permitting
Lead Agency	Varies	Varies. Authorities depend on type of agency.	Varies	✓	✓ (if structured appropriately)	Varies
Planning Unit	✓	No	No	Limited accountability	✓ (if structured appropriately)	Planning Unit would evolve into permanent, staffed organization
Individual Organizations Acting Separately	No	Limited to jurisdictional boundaries	✓	Limited to jurisdictional boundaries	✓	✓
Individual Organizations acting Jointly	✓ (would require effective management)	✓	✓	✓	✓ (if structured appropriately)	✓ (some coordinating functions will require staffing)
New Type of Special District	✓	Depends on legal authorities assigned	Would need to develop	✓	✓ (if structured appropriately)	Would require new bureaucracy

3.4 Transition from Planning to Implementation

As currently written, Chapter 90.82 RCW does not provide a framework for the transition from the Planning Phase (Phase 3) to the "Implementation Phase" discussed in this report (which can be considered "Phase 4"). The law essentially concludes at the point that a watershed plan has been approved by a planning unit and adopted in a joint session of the county legislative authorities (Chapter 90.82.130).

As indicated in Section 3.1, the Committee finds that coordination and oversight of the implementation process will be central to the success of watershed plans. Therefore, it is suggested that a clear framework for the implementation phase be defined for each watershed plan. However, this is not required under the current law and associated grants program. The Committee believes that Planning Units should develop as much of the implementation program as feasible during the Planning Phase (Phase III). However, in some areas this may prove very challenging, due to the comprehensive scope of the watershed plans, the number of organizations

that may be involved in implementation, the inherent uncertainties associated with pursuing funding, and the potential need for negotiated agreements among implementing organizations.

The Committee identifies the following approaches for carrying out the transition from the Planning Phase to the Implementation Phase. These approaches are complementary, and could be carried out either separately or jointly:

- This framework could be defined within the plan document itself. In this case, the implementation program would be approved by both the Planning Unit and the counties, through the normal adoption process. It appears planning units have the authority to do this under the current law; however, they are not required to do so. The program could describe how the implementation process will be administered; how the specific water-resource management actions recommended in the plan will be performed; and how supporting actions will be carried out. For each action recommended in the watershed plan, a complete implementation program would describe who will carry out the action; their legal authority to do so; how each action will be funded; a planned schedule; and definition of milestones for tracking purposes.

- RCW 90.82 could be amended to provide for a fourth phase of the grant program covering administration of the implementation process (see Section 4.4.1). During the first year of implementation, the grant money could be used, in part, to develop implementation arrangements, including funding, agreements, and other elements. Submittal of a complete implementation program could be a condition of receiving the "Phase 4" grant money for the second year and all subsequent years. This is not intended to imply that these elements should be left until Phase 4. Rather, this acknowledges that some Planning Units may find it too difficult to fully define all of these elements, given the comprehensive nature of a watershed plan and the number of organizations and funding sources that could be involved.

- RCW 90.82 could be amended to provide for designation of "Implementing Governments." This concept is similar to that of the "Initiating Governments" defined currently in Chapter 90.82.060. Similar to Initiating Governments, Implementing Governments would be local or tribal governments or special districts that accept obligations for plan implementation. This agreement would need to be expressed through formal action by the respective entity's elected policymakers (e.g. a resolution or agreement by Commission, Board, Council, etc), within six months after the watershed plan is approved by the legislative authorities of the respective counties (see Chapter 90.82.130). The Implementing Governments could identify a local Lead Agency to coordinate and oversee plan implementation. This Lead Agency may be the same as the local Lead Agency that administered grant monies during development of the watershed plan, or a different local Lead Agency could be named, at the discretion of the Implementing Governments. One role of the local Lead Agency in the implementation phase would be to receive and administer the Phase 4 grants discussed in Section 4.4.1[3].

[3] The Committee notes that, as an alternative, the same Initiating Governments from the planning phases could designate the Lead Agency. However, it would be preferable to establish this role for Implementing Governments, since they will have responsibilities in the Implementation Phase and should have a role in selecting the Lead

As discussed in Section 6 of this report, the Committee recognizes that watershed plans will need to be "living documents," and provisions are needed to allow for flexibility and adaptation. Likewise, the approval process, any implementing rules or ordinances, and implementing agreements will need to allow for adaptation over time. With this in mind, the commitment to carry out plan provisions will need to be rooted in the needs and incentives of the citizens and organizations in each watershed. This is likely to be the most critical element in assuring implementation.

3.5 Rules and Ordinances for Implementing Obligations

Chapter 90.82.130 RCW[4] requires a rule-making process following approval of the Watershed Plan by county legislative authorities. State agencies must adopt rules and take other actions necessary to fulfill "obligations" accepted in the planning process. Counties must adopt any necessary implementing ordinances and take other actions to fulfill their accepted obligations. However, the law does not impose these requirements on other entities, such as cities, water districts, etc.

State rules or County ordinances appear to be most appropriate for regulatory requirements that may be identified in a watershed plan, such as adoption of minimum instream flows or land development regulations. However, it should be noted that many of the strategies in watershed plans may involve non-regulatory programs or actions. Examples include construction of infrastructure, restoration of habitat, acquisition of land or conservation easements through voluntary means; public education programs; water conservation programs, and many other activities.

In these cases, adoption of state rules or county ordinances may not be necessary or appropriate. It may be more appropriate to establish obligations or responsibilities for these activities by intergovernmental agreements (IGAs) or other means. IGAs can include letter agreements, memoranda of agreement or understanding (MOAs or MOUs), contracts, grant agreements and other agreements. IGAs can often be developed, adopted and amended more quickly than rules or ordinances. The ability to amend them quickly may improve flexibility in administering plan provisions. Other means of following through on plan implementation include adoption of policies and procedures, budgets, and assignment of staff. All of these should be considered as techniques for implementing obligations accepted by the respective entities.

Additionally, since the law is silent on how other local government entities, such as cities, will accept potential implementation responsibilities outlined in the watershed plan, IGAs may provide a way to involve all the parties needed to successfully implement a watershed enhancement strategy. In some cases, commitments from federal agencies may be sought, particularly if an agency has significant water resources or habitat management responsibilities in the watershed.

Agency and shaping the implementation process. It should be recognized that in many cases the original Initiating Governments will also become Implementing Governments.

[4] For a copy of Chapter 90.82 RCW, see Appendix A.

The Committee reviewed approaches to State rulemaking that could apply to implementation of watershed plans. The following points were made:

- On the one hand, State rules can be written that are either highly prescriptive, or relatively non-prescriptive. Rules have traditionally been used when a prescriptive and enforceable requirement is desired, and are written to reflect this. However, it is conceivable that state agencies could write rules that are less prescriptive. For example, a rule can require a specific entity to "study," "consider" or "evaluate" a specified course of action. This does not require the entity to proceed with that action.

- On the other hand, some question whether a State rule is the best vehicle for dealing with non-prescriptive issues. Voluntary actions, inter-local agreements, etc. may be more appropriate. Many actions to be taken in implementing watershed plans will consist of policy directives, budget decisions, staffing decisions, etc. Moreover, those actions that include constructing projects or implementing programs need to have sufficient flexibility to adjust to changing conditions. A State rule is not the best tool for allowing this flexibility. From this perspective, the current blanket requirement for rule-making in Chapter 90.82 RCW is inappropriate and should be changed.

- Some Committee members feel that a "regulatory" approach to implementation, implicit in the mandate for rule-making, will undermine the locally-led process. Voluntary actions, driven by existing regulatory requirements (Clean Water Act, Endangered Species Act, etc.) should be emphasized instead.

- The value of the rule-making provision in Chapter 90.82.130 RCW is that it creates a commitment to follow through on decisions in the watershed plan. There are ways this commitment could be emphasized, but using other approaches besides rulemaking. Rule-making could still be used for those actions that require rules for implementation, such as adopting of minimum instream flows if that is what a Planning Unit intends.

Many of the same points hold true for County ordinances, which are also required in the current law. Many actions by a County to implement a watershed plan would be non-regulatory. These include policy resolutions, entering into agreements with neighboring jurisdictions, bonding, budgeting, and staffing. It does not seem appropriate to pass ordinances for these kinds of actions. Therefore the requirement that counties pass ordinances to implement watershed plans does not seem entirely appropriate. As with state rules, the intent is to ensure that parties to the watershed plan follow through on the commitments they made during the planning and approval process. In this regard, there is need for improvement in Chapter 90.82.130 RCW.

Where a watershed plan calls for new local ordinances or amendments to existing ordinances, linkages to local land-use plans should be considered. For example, in jurisdictions whose land use plans are prepared under the provisions of the Growth Management Act (GMA) land-use amendments must be consistent with county-wide planning policies as well as with other elements of the comprehensive land-use plan. Furthermore, capital projects identified in a watershed plan may prompt needed updates to a Capital Facilities Plan within a local land-use plan. In summary, consistency between a watershed plan and local land-use plans are a powerful element in supporting effective implementation.

3.6 State Agency Memorandum of Agreement

In 1998 a group of 12 State agencies signed a memorandum of agreement (MOA) detailing how they would jointly work with planning units to assist in developing watershed plans. The Committee reviewed the MOA to determine whether it needs any modifications at this time to support the implementation process. However, the MOA appears to be sufficient. The Committee has not identified any necessary modifications.

3.7 Recommendations to Planning Units and Implementing Organizations

- Planning Units should consider developing, a detailed implementation plan, within one year following final approval of the watershed plan by the county legislative authorities. An implementation plan would clearly define coordination and oversight responsibilities, any needed inter-local agreements, rules or ordinances, funding mechanisms and timelines for carrying out the actions recommended in the plan. The Planning Unit should also consider these elements, while they are developing their Watershed Plan in Phase 3, but many details will best be defined after the Plan is approved. If the Phase 4 grants discussed in Section 4.4.1 are created by the Legislature, then submittal of a detailed implementation plan should be a condition for receiving the grant in the second year and all subsequent years of the Phase 4 grant.

- Planning units should consider the five alternative approaches to coordination and oversight described in Section 3.3, as well as other approaches that may be applicable, and should determine which approach to carry forward into the implementation phase.

3.8 Recommendations to the Legislature

- The Legislature should expand the grant program in Chapter 90.82.040 RCW to provide matching grants to support coordination and oversight of plan implementation, and should appropriate funds adequate for this purpose. The grant should be available only after a watershed plan has gone through the full approval process. Eligible expenditures during the first year of the grant would include, but not be limited to, development of a detailed implementation plan. Further funding in the second year and any subsequent years, would be contingent on submittal of an implementation plan. For further details, see Section 4.4.1.

- RCW 90.82 should be amended to provide for "Implementing Governments, as discussed in Section 3.4. These are local governments, tribal governments or special districts that formally accept obligations for plan implementation. One role of the Implementing Governments should be to name a local "Implementation Lead Agency." The Implementation Lead Agency would have the role of coordination and oversight during the implementation process.

- The Legislature should consider creating a new option in State law, for local areas to form a "Water Resources District." This district could be created at the option of voters in a watershed, and would have taxing authority to raise money for implementation of watershed plans. Further information on this proposal is included in Appendix B.

- Chapter 90.82 RCW should be amended to explicitly state that Planning Units may continue to operate after Plan adoption, in an advisory capacity to the organizations implementing plan provisions. The exact role and associated procedures for the Planning Unit during the implementation phase would be defined by the Implementing Governments. (Also see discussion of Planning Units' role in periodic review of implementation and need for plan updates, Section 6.1.

- Chapter 90.82.130 (3) should be amended to recognize that state rules and county ordinances are not the only means that commitments can be made for implementing provisions of a watershed plan. The law should state instead that any organizations voluntarily accepting an obligation as defined in 90.82.130 (4) "shall adopt policies, procedures, agreements, rules and/or ordinances to implement the plan; and should annually review implementation needs with respect to budget and staffing." This requirement should not be limited to state agencies and county governments. The Committee notes that the original intent of Chapter 90.82.130 (3) and (4) appears to have been to ensure that entities that voluntarily accept "obligations" would follow through with implementation. This recommendation is intended to preserve this concept, while offering more appropriate and effective means for follow-through.

Section 4
Funding Implementation of Watershed Plans

This section addresses funding considerations related to the implementation of watershed plans. As discussed in Section 2, funding will be required for all three of the categories discussed in Section 1.2:

- Carrying out *actions* defined in the watershed plan;
- Coordination and oversight of the implementation process;
- *Supporting activities* (e.g. public outreach and education, long-term monitoring, data management, program evaluation).

Watershed Planning Units will be ready to implement their plans beginning in year 2003. These plans have not yet become part of the "standard operating practices" involving water-resources management in the state, although this may happen over time. In the short term, watershed management efforts will be bolstered significantly, and the chances of program success raised, if implementation is supported at a significant level by State funding.

The Committee notes that local funding or in-kind contributions should be considered as well, as a demonstration of commitment to the watershed planning process and the value of the locally-developed plans. In this way, implementation can carry on an active partnership between the State and local communities in each WRIA.

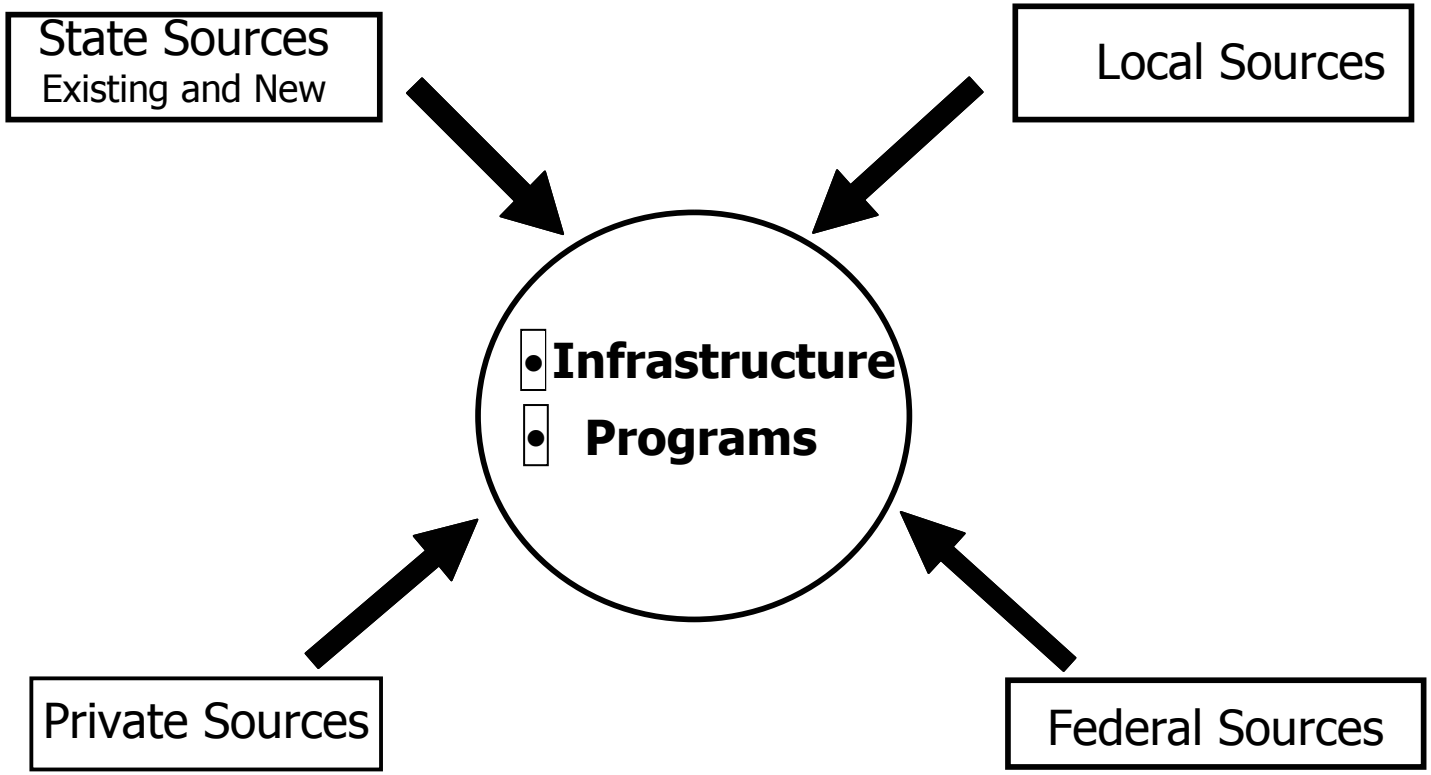
Federal sources of funding should also be pursued by both state agencies and local organizations implementing watershed plans. In addition, where appropriate, private sector sources of funding may provide a valuable contribution to plan implementation. This report focuses more on local and state funding sources, because the Committee believes that its efforts can be most useful in the state and local context. However, the Committee emphasizes that federal and private sources may be equally as important as local and state sources of funding for implementation of watershed plans (see Exhibit 4-1).

4.1 Broader Context of Funding Water-Resource Needs

Implementation of watershed plans will occur in a broader context of water supply, water quality, and habitat projects that are already in progress throughout the state. Cities, counties, special districts, tribes and private sector organizations are continually planning for the future; funding and building new water-resource infrastructure; repairing or replacing existing infrastructure; or implementing programs to manage water resources, land use and environmental quality. In many cases, watershed plans will acknowledge and recommend these same projects and programs. Watershed plans may also identify new projects and programs, or recommend modifications to those already planned.

Exhibit 4-1

Mix of Funding Sources for Plan Implementation

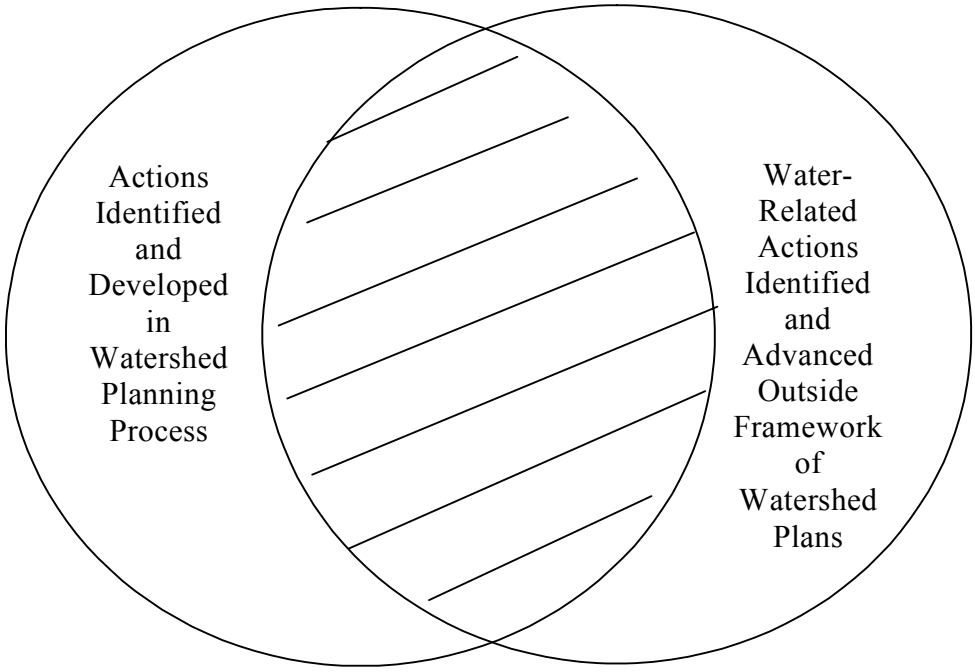


These ongoing activities include some activities that are directly related to the kind of water-resource management addressed in Chapter 90.82 RCW. In general, any project or program that directly involves use of streams, rivers, lakes and aquifers is clearly related to the central themes of watershed planning. Likewise, activities designed to improve water quality or fish habitat conditions are clearly related to watershed plans.

However, there are other activities underway that are not directly related to watershed plans. For example, improvements to a city's water distribution system intended to protect public health and meet federal drinking water standards, or to improve a water system's ability to provide fire protection are not directly related to the water resource itself.

These distinctions are important because funding requests stemming from watershed plans will be made in this broader context of all water-related funding. Exhibit 4-2 provides a conceptual illustration of this concept. The actions to be recommended in watershed plans are not necessarily a "new" layer of water resource needs, overlaid on existing needs. Instead, watershed plans will partially overlap with existing needs. To some extent, this will dilute the financial impact of watershed plans, in terms of funding needed for implementation. However, since it is difficult to fund many water resource projects already, the question remains: how will projects identified in watershed plans be funded? This, in turn is part of a broader question: How will water resource management activities in general be funded?

Exhibit 4-2
Relationship Between Actions in Watershed Plans and Other Water Resource Management Actions



It is also important to recognize that funding decisions may sometimes involve projects that conflict with watershed plans. Local governments and other organizations in watersheds around the state are continually applying for funding from state, federal and other sources. This will continue after watershed plans are approved and adopted. In some cases, projects proposed will be referenced in local watershed plans. In other cases, projects may not be discussed in a watershed plan, but may be consistent with the objectives expressed in a watershed plan. However, it is conceivable that some projects proposed locally in the normal course of developing new infrastructure will be contrary to the objectives of the local watershed plan. Decisions to fund these actions could actively undermine the effectiveness of watershed plans. Therefore, it is important that as funding agencies distribute money to water related projects, any conflicts with watershed plans be identified and addressed.

4.2 Applicability of Different Funding Sources

As discussed in Section 1 of this Report, watershed activities needing funding can be considered in three broad categories: 1.) specific projects and programs to manage the water resources in a WRIA; 2.) coordination and oversight of the implementation process; and 3.) supporting activities such as monitoring, data management, public education and outreach, etc. Consideration of local, state, federal and private-sector sources of funding may apply differently to these different categories. Table 4-1 provides a proposed framework for aligning implementation responsibilities and funding sources.

4.3 Local Sources of Funding

Under Chapter 90.82 RCW development of watershed plans is led at the local level, with state support. Implementation of watershed plans may be most effective if local funding sources are combined with state and other sources. If some level of funding can be provided at the local level, this demonstrates a commitment that can be used to leverage money from other sources. In addition, funding from the local level can be used in ways that respond quickly to local needs and changing conditions.

Under current State law, there are a various means of raising revenue at the local level for water-related activities. Table 4-2 provides an illustrative list of approaches. This list is not comprehensive, but it does suggest the range of local governments and special districts involved. Many of these same entities participate on the planning units developing watershed plans throughout the State.

A variety of issues may arise in consideration of local funding opportunities. The Committee has identified the following issues:

- ***Limitations on Funding Due to Jurisdictional Boundaries*** From Table 4-2 it is apparent that local funding sources may be constrained because local jurisdictional boundaries (e.g. cities, counties, utility service areas) do not match well with watershed boundaries. Generating and commingling funds for watershed-wide projects may be problematic. The Committee has considered the concept of creating a new option in State law, for local areas to form a "Water Resources District." This district could be created at the option of voters in a watershed, and would have taxing authority to raise money for implementation of watershed plans. Further information on this proposal is included in Appendix B. This would offer one additional means of funding implementation at the local level. One of the advantages of this approach is that the area taxed would match the watershed area where actions would be undertaken.

Table 4-1
Match Between Implementation Responsibilities and Funding Sources

General Source of Funding	Organization and Type of Action											
	Coordination and Oversight During Plan Implementation			Substantive Actions in Watershed Plan			Actions *Outside* Framework of Watershed Plan, but Consistent with Plan Intent			Supporting Activities		
	Watershed-wide Entity[1]	Individual Jurisdictions/ Special Districts	State Agencies	Watershed-wide Entity[1]	Individual Jurisdictions/ Special Districts	State Agencies	Watershed-wide Entity[1]	Individual Jurisdictions/ Special Districts	State Agencies	Watershed-wide Entity[1]	Individual Jurisdictions/ Special Districts	State Agencies
1a.) **Local** funds from individual jurisdictions or special districts	✓	✓		✓	✓		✓	✓		✓	✓	
1b.) **Local** funds collected watershed-wide	✓	✓		✓	✓		✓			✓	✓	
2a.) State-based funds administered by **State** agencies	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2b.) Federal funds administered by **State** agencies				✓	✓	✓	✓	✓	✓	✓	✓	✓
3.) Federal funds administered by **federal** agencies				✓	✓	✓	✓	✓	✓	✓	✓	✓
4.) **Private Sector**	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

(1) If applicable. I.e. in cases where the Planning Unit has designated either one organization or a group of organizations jointly, to have general responsibility for administering implementation of the Watershed Plan.
(2) It is assumed an entity designated for Watershed Plan implementation would not undertake actions inconsistent with the Plan.

Table 4-2
Potential Mechanisms for Local Financing

Funding Vehicle	Who Pays	Eligible Expenditures
Counties		
Property Tax	Property owners	Varied
Sales Tax	Retail Customers	Varied
Excise Tax	Property owners, lessees	Varied
Rates for Utility services	Customers of county-owned utilities	Utility-related improvements, other budgeted items
Impact Fees	New customers of county-owned utilities	Utility-related capital improvements
Assessments	Owners of benefited properties	Improvements benefiting assessed properties
Cities		
Property Tax	Property owners	Varied
Sales Tax	Retail Customers	Varied
Excise Tax	Property owners, lessees	Varied
Rates for Utility services	Customers of city-owned utilities	Utility-related improvements, other budgeted items
Impact fees	New customers of city-owned utilities	Utility-related capital improvements
Assessments	Owners of benefited properties	Improvements benefiting assessed properties
Utility Taxes, Franchise Fees	Utilities	Varied
Public Facilities Tax		
Water & Sewer Districts, Public Utility Districts		
Rates for Utility services	Utility customers	Utility-related improvements, other budgeted items
Impact Fees	New Utility Customers	Utility-related capital improvements
Assessments	Owners of benefited properties	Improvements benefiting assessed properties
Property Tax (PUDs only)	Property owners, lessees, typically throughout county	Projects offering broad benefits throughout PUD area (typically county)
Irrigation Districts		
Assessments	Owners of land in district	Varied
Conservation Districts		
Property tax	Owners of land in district (often contiguous with county)	Land & water conservation
Ports		
Property Tax	Owners of land in district	Economic development
Industrial development tax		
Other Special Districts		
Diking & Drainage Districts	Owners of land in district	Projects benefiting district lands
Flood Control District	Owners of land in district	Projects benefiting district lands
Park & Recreation District	Owners of land in district	Projects benefiting district lands
Local Private Sector Sources		
Local foundations	Foundation benefactors	Varied
Corporate contributions	Private businesses	Varied
Citizen contributions	Citizens	Varied

- ***Range of Participation*** In any one watershed, the availability of a given funding source will depend on the existing mix of local governments and special districts. For example, some areas have irrigation districts while others do not. Some areas have public utility districts that manage water resources, while in other areas the public utility district is involved solely in power supply. Those organizations that are heavily invested in development of the watershed plan, or whose constituents can benefit from implementation, will be more likely to contribute funding for carrying out the plan. At the same time, local organizations contributing funding (or in-kind goods and services) to implementation of a watershed plan, will naturally want to have a substantial role in ongoing decision-making regarding plan elements. In this regard, the approach to coordination and oversight (see Section 3) is linked directly to the local funding arrangements.
- ***Legal Constraints on Funding*** The use of funds raised at the local level is constrained by the particular legal authorities, jurisdictions, and programs of the organizations involved. In general, expenditures of monies from enterprise funds, such as rates collected for services by special districts (e.g. water districts) will be constrained more tightly than general revenues collected by multipurpose governments (e.g. cities and counties). For example, a water district may be limited to spending money solely on projects that benefit its customers, within its service area; while a county may have more leeway to fund actions offering broad benefits to residents throughout a larger area.
- ***In-Kind Contributions*** In-kind contributions can be just as valuable as financial contributions, and should be recognized as a valid local contribution to carrying out watershed plans. In-kind contributions may include staff activity in carrying out a program or overseeing a contractor; donation of office space and equipment; contribution of expertise in the form of technical assistance; etc. In cases where local matching funds are required to obtain funding from State programs, such in-kind contributions should be recognized.
- ***Need for Public Support for Local Funding*** Voters in local areas around the state have become increasingly reluctant to impose new fees or taxes in recent years. It is unlikely that funding to implement watershed plans could be raised entirely at the local level. However, public support can be mobilized for specific actions that offer clear benefits in local areas. Watershed planning units, lead agencies, and local organizations involved in the implementation process will need to continually build and maintain support for the actions recommended in their watershed plans.

In addition, Committee members have suggested that it would be beneficial if there were a provision in State law that would allow local governments to raise revenue specifically directed at watershed plan implementation. This type of revenue source would be most appropriate if it included the following conditions:

- Could be proposed by local governments, at their option;
- Would require public vote to approve;
- Would be clearly linked to water resources usage or impacts;
- Revenues placed in dedicated account and used solely for implementation of watershed plan.

This concept has not been fully developed by the Committee, but is recommended for consideration by the Legislature.

4.4 State Support for Plan Implementation

This Section describes how the State of Washington can support implementation of watershed plans. It covers the following topics:

- A proposal to add a new section to Chapter 90.82 RCW for "Phase 4" matching grants to support coordination and oversight activities needed during the implementation process;
- Steps to ensuring existing state funding programs respond to the challenge of implementing watershed plans; and,
- Enactment of new statewide revenue sources to address critical water resource needs.

This section focuses on state actions. However, this does not mean that the State should be the only source of funds to implement watershed plans. As noted previously, local governments and special districts, tribes, private sector organizations, and the federal government all have a role to play in contributing resources to implementation. However, the State does have a special role to play. This is due in part to the fact that the State launched the planning framework of Chapter 90.82 RCW and has an interest in ensuring that the resulting investment of time, energy and financial resources statewide yields real benefits to the public.

4.4.1 Phase 4 Matching Grants for Coordination and Oversight of Plan Implementation

As noted throughout this report, coordination and oversight during the implementation process, as well as supporting activities such as monitoring, data management, and public outreach, are distinct needs that should be addressed in each watershed. Administering the implementation process includes activities such as coordination among multiple agencies with obligations under the plan; tracking their performance; and, obtaining funding from outside sources. Supporting activities include public education and outreach; long-term monitoring of watershed conditions; and data management among other activities.

The Committee believes there is substantial value in providing funding to coordinate these efforts and oversee plan implementation (see Chapter 4). The Committee offers the following observations:

- Staff resources will be needed to administer the implementation of each watershed plan. The staff resources needed will vary depending on the complexity of each plan. The type of personnel needed will also vary. Functions to be carried out will include routine administrative support, coordination among various agencies carrying out implementation responsibilities; contracting activities; ongoing collection and analysis of monitoring data; etc.
- Some of these staffing needs may be intermittent, while others will require staff on a continual, sustained basis.

- There will also be expenses associated with administration activities. These include office space, office equipment, travel expenses, meeting space, etc.
- Public education and outreach will be critical to long-term success, and will include activities such as newsletters, web-site design and maintenance, participation at public meetings and events, liaison with local and state elected officials, etc.
- Data management will also be needed, and will require computer hardware and software and trained personnel.
- There will be a need for evaluation of specific projects and programs, to assess their effectiveness in meeting the needs identified in each plan.
- Planning units, or their successor groups, will have a valuable contribution to make during the implementation phase, including monitoring plan implementation and providing ongoing discussion and feedback. This contribution can be enhanced with some level of staff support.

With these needs in mind, the Committee recommends the Legislature expand the grant program in Chapter 90.82.040 RCW to provide a "base level" of funding for to meet these needs, and that funds be appropriated for this purpose. Eligibility for this grant would begin after final approval of the watershed plan by the joint session of county legislative authorities, as described in Chapter 90.82.130 RCW.

The State's Phase 4 grant program should include a requirement for a local match. Committee members have expressed differing perspectives on the appropriate level of the local match, ranging from 10% to 25% of the State contribution. The Committee therefore requests that the Legislature select the local match requirement, from within this range. The local match may include either financial contributions, or in-kind goods and services, so long as in-kind contributions are directly related to the coordination and oversight function described in this report. This local match can be provided by the lead agency for implementation that receives the grant, or from combined commitments from local governments, special districts, or other local organizations. The amount of the Phase 4 grant should be up to $100,000 per planning unit per year, for the first three years of implementation. At the end of the three year period, it is suggested that a two-year extension be available, at $50,000 per Planning Unit. Thus, the total amount available from the State would be $400,000 per Planning Unit over the five-year period.

For those Planning Units that cover more than one WRIA, an additional $25,000 in matching funds should be available, for each additional WRIA. For example, a Planning Unit covering two WRIAs would be eligible for $125,000 per year in matching funds. A Planning Unit covering three WRIAs would be eligible for $150,000 per year. Like the basic grant for one WRIA, these amounts would be halved in the fourth and fifth years.

Table 4-3 displays the State matching grant, over five years, for Planning Units covering from one to three WRIAs.

Table 4-3
Schedule of Matching Grants[1]

Year	Planning Unit with 1 WRIA	Planning Unit with 2 WRIAs	Planning Unit with 3 WRIAs
1	$100,000	$125,000	$150,000
2	$100,000	$125,000	$150,000
3	$100,000	$125,000	$150,000
4	$50,000	$62,500	$75,000
5	$50,000	$62,500	$75,000
6 and beyond	$0	$0	$0

[1] Note local matching requirement as discussed in text. Value shown is maximum contribution from State funds.

At the present time, there are 25 Planning Units addressing a single WRIA; seven Planning Units addressing two WRIAs; and one Planning Unit addressing three WRIAs. Based on the formula presented above, the statewide total cost if all of these WRIAs began implementation in the same year would be:

- Statewide total of $3,525,000 per year for first three years
- Statewide total of $1,762,500 per year for last two years

Over the full five year time period, the grand total would be $14,100,000. This is an annual average of $2,820,000. However, it is likely that this total will be spread over a longer time period, because some planning units will begin implementing their plans years before other planning units. If this cost were spread over a seven-year time period, the total annual expenditure would average slightly over $2,000,000.

It should be noted these figures do not account for additional WRIAs that could enter the watershed planning process later. Forty-two of the State's 62 WRIAs are accounted for above. The remaining 20 WRIAs do not yet have a watershed planning process in place. However, some of these may never initiate the watershed planning process, and would thus not be eligible for this funding. In any case, implementation of these additional watershed plans would come in later years, and the annual average discussed above would likely be an appropriate number for planning purposes.

The Committee believes that this commitment from the state will substantially improve the prospects for watershed plans to succeed. The funding trajectory over time is designed to prompt local communities to step up to commit further funding for implementation in later years, as the full value of watershed management emerges. In this regard, the proposed Phase 4 grants represent an investment in the State's overall framework for managing water resources.

It should be noted that this relatively modest level of funding will not cover the more substantial costs of capital projects or implementation of programmatic activities. State support for implementing these actions is addressed separately, in the following sections of this report.

4.4.2 Ensuring Existing State Funding Programs Respond to the Challenge of Implementing Watershed Plans

The State of Washington has a number of programs that distribute funding for eligible water resource management activities and projects. Many of the activities that will be recommended in watershed plans will be eligible for funding through these existing sources. This section

examines how the various State funding programs can help respond to the needs associated with watershed plan implementation.

Appendix F lists a wide range of funding programs that could be used to fund some aspects of plan implementation. Over three dozen programs are listed in the "State" section of this table. Some of these programs are directed specifically at water-related activities, while others address broader needs of local communities. For the purposes of this section, the Committee focused its attention on four specific State funding programs:

- Public Works Trust Fund – provides low interest loans for public works projects in six categories: water, storm sewer, sanitary sewer, roads, bridges, and solid waste. Revenue from state's real estate excise tax, water and solid waste taxes, and loan repayments. Administered by Public Works Board.
- Salmon Recovery Fund – funds eligible projects to improve salmon habitat. Funded by appropriations from state and federal governments. Administered by Salmon Recovery Funding Board and Department of Fish and Wildlife.
- Centennial Clean Water Fund – provides low interest loans for wastewater treatment facilities or other projects that protect water supply or address contaminant sources. Limited grant funding is also available. Funded from tobacco tax revenue and State general fund. Administered by Ecology.
- Drinking Water State Revolving Fund – provides low interest loans for projects to protect public health involving drinking water supplies. Funded by appropriations from Congress, plus 20% State match from Public Works Board (see above). Administered by Department of Health.

However, the general discussion and recommendations in this section are intended to apply broadly, to all of the State's funding programs that provide financial support for management of water resources and related issues.

It is worth noting again that watershed plans will not necessarily add a new layer of projects and programs on top of those that already require funding. Many of the actions called for in watershed plans will likely be consistent with plans developed outside the framework of the watershed plan. For example, plans to build a pipeline for regional sharing of water supply may already be included in a water system plan or coordinated water system plan. A program to reduce suburban use of fertilizers and pesticides to improve water quality may already be under development by a county or city. Yet each of these projects could also be included as a recommended action in a watershed plan. At the same time, there may be many new projects or programs that are developed entirely through the watershed planning process (see Exhibit 4-1).

The Committee believes that, as a matter of policy, the various State funding programs that help pay for water resource and salmon recovery actions should be viewed as a key source of funding for implementation of watershed plans. This is consistent with state policy direction in that:

- The Legislature has identified watershed planning under Chapter 90.82 RCW as a cornerstone of water resource management at the state and local levels.

- Chapter 90.82 RCW is based in part on the recognition that the hydrologic boundaries of watersheds provide a sound basis for managing water resources.
- The comprehensive and collaborative nature of watershed planning provides a valuable tool for promoting coordination of the State's investments in both water resources and salmon recovery.

With this premise in mind, the Committee recommends that the various agencies, boards and commissions that manage state funding programs review how their programs can support implementation of watershed plans. This review should be initiated as early as possible in 2003 and completed by April 2004, and should include:

- Whether current statutory guidance is consistent with directing funds to actions included in watershed plans. This includes both capital projects and programmatic activities.
- How the inclusion of an action in a watershed plan will, or will not, be considered in the competitive process of awarding funding.
- Whether criteria for selecting projects to be funded, and amounts to be awarded, should be modified to create priorities for funding of actions included in watershed plans, or improve opportunities for such actions.
- Whether current procedures may allow some projects that are contrary to the intent and objectives of watershed plans to be funded; and how this can be avoided.
- A means for applicants to indicate which WRIAs are involved in their funding applications, on the forms submitted to the respective funding entities.
- A means for informing planning units, lead agencies for watershed plan implementation, and/or implementing governments of funding applications that have been submitted in their respective WRIAs and providing for comments from those implementing watershed plans before funds are awarded.

As a general observation, it appears that the various state funds listed above are oriented more towards capital projects than towards programmatic activities. For some categories of water resource management actions, this may lead to under-investment in actions called for by watershed plans.

The Committee has also discussed how environmental mitigation funds associated with major projects, such as transportation projects, are related to watershed management. It may be appropriate for mitigation funds from multiple projects to be "pooled" for use in areas of the watershed that can produce the greatest environmental benefits. This concept should receive further review, and its application to watershed plan implementation should be considered.

4.4.3 Additional State Funding to Finance Water Resource Projects and Programs

The existing sources of funding listed above do not appear adequate to provide for the many water resource projects and programs needed in the state, including those likely to be recommended in watershed plans. This is based on the observation that, in recent funding cycles, requests for funding have exceeded available funds by large margins (see Tables 4-4 and 4-5). In addition, members of the Committee have noted that there has been a trend away from grants and towards loans, in state and federal funding programs. While this can assist in financing projects, it means that local entities must fund these activities.

The information presented above does not take into account substantial new burdens on local governments to upgrade storm water management facilities as required by the federal government. In addition, the information above does not fully address funding needed for programmatic activities apart from hard infrastructure. These programmatic activities include monitoring of watershed conditions at the watershed scale; control of non-point source pollution; water conservation programs; technical assistance programs; public outreach; and many other activities.

Table 4-4
Historical Funding Comparison 2000 - 2002
Selected State Funding Programs (in million $)

Fund Name	Year	Funds Available	Funds Requested	Funds Awarded	Other Comments
Drinking Water State Revolving Fund	2002	$27.2	$29	$25.77	Total Awards 1999-2002 = $103.1 million, or avg of $25.77 million/yr
	2001	$28	$71.6	$25.77	
	2000	$20-25	$29.7	$25.77	
*Public Works Trust Fund**	2002	$99.5	$198.5	$178.1	More funds awarded than "available" due to receipt debt payments of previously issued loans.
	2001	$105.6	$226.9	$144.5	
	2000	$95.8	$91.0	$79.4	
Salmon Recovery Fund	2002	N/a	$58.2	$13.3	More funds available, but fund receipts not coincident w/ funding outlays due to state vs. federal budget lags.
	2001	N/a	$52.5	$31.8	
	2000	N/a	$42.0	$36.8	
Centennial Clean Water Fund	2002	$30-33	$17.6	$25.1**	
	2001	$30-33	$33.9	$25.0**	
	2000	$30-33	$26.8	$37.8 **	

* PWTF supports several types of projects which may or may not be applicable to watershed planning, such as transportation projects.

** Includes funding for two projects for which no request was made: King County West Point WWTP Secondary Upgrade (2002-$7.5 million, 2001-$2.5 million, 2000-$12.5 million) and Spokane Rathrum Prairie Aquifer (2002-$5 million, 2001-$5 million, 2000-$5 million)

Table 4-5
Funding Deficit 2000 – 2002
Selected State Funding Programs (in million $)

		Requested	Awarded	Deficit
2002	DWSRF	$29.0	$25.8	
	PWTF	$198.5	$178.1	
	SRF	$58.2	$13.3	
	CCWF	$17.6	$12.6	
		$303.3	$229.8	($73.5)
2001	DWSRF	$71.6	$25.8	
	PWTF	$226.9	$144.5	
	SRF	$52.5	$31.8	
	CCWF	$33.9	$17.5	
		$384.9	$219.6	($165.3)
2000	DWSRF	$29.7	$25.8	
	PWTF	$91.0	$79.4	
	SRF	$42.0	$36.8	
	CCWF	$26.8	$20.3	
		$189.5	$162.3	($27.2)
Annual Average, all 4 funds		$292.6	$203.9	($90.)

* less funding for two projects for which no request was made: King County West Point WWTP Secondary Upgrade (2002-$7.5 million, 2001-$2.5 million, 2000-$12.5 million) and Spokane Rathrum Prairie Aquifer (2002-$5 million, 2001-$5 million, 2000-$5 million)

Another report also confirms a funding gap for watershed-related activities. The *State of Washington Local Government Infrastructure Study* (Washington State Public Works Board, June 1999) identified a large deficit in funding for public works infrastructure. Specifically, the report projected a funding gap of $580 million for the years 1998 to 2003 for activities associated with water infrastructure, such as the construction, planning, or repair of capital facilities. Though the Local Government Infrastructure Study is a measure of the imbalance between funding needs and available funding, the Committee points out that the study includes a broad range of capital project activities, some of which will likely not be included in watershed plans because they are outside the scope of watershed plans. For example, the upgrading of a water system's distribution system piping to meet federal drinking water guidelines will not necessarily be addressed in watershed plans. Nonetheless, the infrastructure study is applicable to this report in that it helps confirm the general magnitude of funding deficits for water related activities.

In addition, as discussed in Section 2 of this report on watershed plan implementation, the Committee has identified substantial costs associated with plan implementation. While estimates of these costs can be only provisional at this time, these costs are likely to be in the billions of dollars.

The Committee believes that the existing state funding programs should be looked at first, in terms of their ability to fund implementation of watershed plans. However, since these funds appear insufficient based on current revenue streams, it appears that additional funding will be needed, to address the many challenges associated with managing Washington's water resources.

The Committee identified a set of principles that should be applied to any approach to raising additional revenues. These principles are:

- Funding sources should be fair and equitable. This includes elements such as a broad-based application reflecting the broad uses and benefits of water resources in the state; and avoidance of "double-taxing" those who have already paid for improvements in water resource management in other ways.
- If possible, there should be a clear linkage between the source of revenue, and water uses, so the public understands why the money is being collected.
- Collection of revenues should be practical, without needing extensive new administrative arrangements or procedures. For example, distribution of funds using one of the State's existing funding programs would be preferable, over creation of a new administrative structure.
- The source of revenue must have political support, or at least neutrality. This includes avoiding the perception of "excessive" fees or taxes on one sector of the economy (e.g. agriculture), or on specific industrial plants that are particularly critical to economic health and employment within a given city or region.

The Committee reviewed several proposed approaches to generating additional revenues to augment existing funds. These included:

- SAFE Water Initiative (2002) proposing $1 billion in state bonds backed by a surcharge on water utility bills and power bills;
- HB 1133 and SB 5420 (1997) proposing $258 million in general obligation bonds backed by general revenues, or other sources to be determined by the Legislature.
- Initiative 769 and HB 2147 (2000) proposing $1 billion in state bonds backed by a statewide increase in sales tax;
- A proposal advanced by a member of the Committee, for consumption-based fees on all water users statewide. The proposal would generate approximately $33 million per year. This proposal was not endorsed by the Committee as a whole.

The Committee recommends that the Legislature enact a new revenue program, to generate substantial funds for water-related infrastructure projects, as well as watershed management programs. This program should take into consideration the principles listed above. None of the proposals listed above are specifically endorsed by the Committee. The Committee notes that the current proposal for a SAFE Water Initiative is generally consistent with this recommendation. However, in its present form it is not acceptable to some Committee members, and other approaches should also be considered.

Regardless of the final determination of revenue source, funding should be directed to a dedicated account for carrying out eligible water-resource projects and programs.

The Committee recognizes that funding for water resources must compete with vital needs in other areas, such as transportation, criminal justice, and education. All of these represent long-term investments for citizens of the State of Washington. However, the public does not always recognize the need for investment in water resources management. The Committee believes that the public would support investment in water-resources management if they fully understood the short-term and long-term benefits in terms of environmental quality and economic vitality. Developing awareness of these benefits takes time, extending beyond the limits of a single legislative session.

Regardless of the short-term outcome of the funding proposals discussed above, the Committee believes that watershed planning units, and those implementing watershed plans, should fully engage the local public in discussions of water resources needs at the local level. In the long-run, locally-led watershed planning and implementation offers one of the best techniques for ensuring the public is aware of water resource needs, and can make effective choices on funding projects and programs. This, in turn, can be translated into support for new funding by elected decision-makers at the state level.

4.5 Federal Sources of Funding

Together with the local and State sources discussed above, federal funding sources will likely be needed to implement many of the actions recommended in watershed plans. Appendix F lists a wide range of federal programs that provide some level of funding for water-related activities.

Availability of federal funds various from region to region, depending on the role of federal agencies in managing and protecting water resources. For example, Bonneville Power Administration (BPA) and the Northwest Power Planning Council (NWPPC) are concerned primarily with the Columbia River Basin, while the U.S. Environmental Protection Agency (USEPA) has an interest in water quality throughout the state. The Bureau of Reclamation, Department of Agriculture, and other agencies all have programs for different purposes. In each locale, the organizations designated for implementation of watershed plans will need to assess the applicability of federal funding programs.

Table 4-1 shows how federal funds fit into the categories of need identified in this report. Both federal funds distributed directly by federal agencies, and federal funds passed through the State are identified.

Committee members have suggested that BPA monies to support water resources management at the watershed scale could be substantially increased. For example, the proposed "New Water Management Alternative" would reduce fish flows and use that water to generate power, yielding additional revenue streams for fish enhancement in tributaries of the Columbia River.

Collectively, these federal sources of funding can provide significant resources for implementation of watershed plans. The Committee recommends that State agency staff responsible for providing input to federal agencies on funding programs undertake a review similar to that described for State funding sources in Section 4.4.2. The State agencies involved include, but are not limited to:

- Ecology – with regard to water quality funding programs administered by USEPA, and USDA Rural Development; and water supply programs administered by USBOR and US Army Corps of Engineers.
- DFW – with regard to salmon restoration funding administered by BPA and NWPPC.
- Health – with regard to drinking water funding administered by USEPA and USDA Rural Development.
- Agriculture – with regard to USDA farm-related programs.

4.6 Private-Sector Sources of Funding

Private-sector sources of funding should not be overlooked as a potential contributing source for implementation of watershed plans. This may include:

- Corporate donations, particularly from companies actively using land and water resources in each watershed;
- Private foundations oriented towards natural resources, community development, or innovative approaches to public policy.
- Financial or material donations from private citizens with an interest in promoting watershed health;
- Contributions of volunteer time for projects, programs, and administrative activities.

While these types of contributions are unlikely to substitute for resources from local, state and federal governments, they can augment public resources. Organizations implementing watershed plans should consider now these private-sector contributions could be identified and developed further at the watershed level.

4.7 Recommendations to Planning Units and Implementing Organizations

- As Planning Units develop their watershed plans in Phase 3, they should identify potential funding sources, including local, state, federal and private sector sources. However, it is recognized that funding arrangements may not be fully defined or finalized during the Planning Phase, and may need to be deferred to the implementation phase (Phase 4).
- With respect to local contributions to implementing plans, potential contribution of in-kind goods and services should be considered, as well as financial contributions.
- Where planning units identify local revenue sources to be used in implementing watershed plans, they should also consider how efforts to develop new local revenue sources may require outreach activities to ensure the public supports these sources.

- Planning units should anticipate that funding requests for projects listed in their watershed plans will be reviewed in the context of other water-related projects in their respective WRIAs. Planning Units should consider how their recommended actions fit into the overall context of all water-resource funding needs in their WRIAs.

4.8 Recommendations to the Legislature

- The Legislature should expand the grant program in Chapter 90.82.040 RCW to provide matching grants to support coordination and oversight of plan implementation, and should appropriate funds adequate for this purpose. For further details, see Section 4.4.1.

- The Legislature should provide policy direction to the various agencies, boards and commissions that manage state funding programs to indicate that funding for implementation of watershed plans is a State priority. The Legislature should direct these agencies, boards and commissions to jointly review how their programs can support implementation of watershed plans. This review should be completed by December 31, 2003 and a progress report should be provided to both the Legislature and Department of Ecology. The Legislature should direct the Department of Ecology to assist with this effort, coordinate the joint review, and provide necessary information on watershed plan implementation to the respective funding entities. For review elements and further details, see Section 4.4.2.

- The Committee recommends that State agency staff responsible for providing input to federal agencies on funding programs undertake a similar review of key federal funding programs, similar to that described for State funding sources above. This applies particularly to State agency staff involved with federal programs administered by the US Environmental Protection Agency, US Department of Agriculture, Bureau of Reclamation, US Army Corps of Engineers, and Bonneville Power Administration.

- The Legislature should enact a new revenue program, to generate substantial funds for water-related infrastructure projects, as well as watershed management programs. This program should take into consideration the principles discussed in Section 4.4.3.

- The Legislature should consider amendments to existing laws regarding actions and expenditures authorized for cities, counties, and special districts involved in water resources management, to allow these entities to contribute financial support to watershed-wide actions that benefit their respective constituents or customers.

- Consideration should be given to amending the Interlocal Coordination Act, to allow watershed-based coordination and funding. There may be ways to provide for collaborative payoff of bonds for capital facilities as well, although. However, it should be noted that the Committee has not explored this recommendation in detail.

- The Legislature should consider creating a new option in State law, for local areas to form a "Water Resources District." This district could be created at the option of voters in a watershed, and would have taxing authority to raise money for implementation of watershed plans. Further information on this proposal is included in Section 3.3 and Appendix B.

- The Legislature should consider authorizing local governments, at their option, to impose a new source of revenue linked to water resources. The purpose of this new option would be to raise money at the local level to implement watershed plans. This authorization should include a requirement that local governments may not impose this revenue source unless it is approved by local voters. This concept is described further in Section 4.3.

- The Legislature should consider how funding requirements for environmental mitigation of major projects, including transportation projects, could be applied to implementation of watershed plans to maximize environmental benefits at the watershed level.

Section 5
Monitoring, Data Management and Related Issues

Sound information on watershed conditions and trends is vital to management of water quantity, water quality, habitat and instream flows. The Committee anticipates that some Planning Units will identify ongoing needs for monitoring of watershed conditions, applied research, data management and data sharing, and related issues. These activities are part of the "supporting activities" described in Section 1 of this report.

5.1 Information Needs at the Watershed Scale

Development of a sound scientific basis for management strategies is a vital element in effective management of water resources. This requires two essential elements:

1. High-quality data on the status and trends of water resource conditions such as flow, water quality, indicators of habitat quality, etc. To be effective in managing watershed resources, this information needs to be continually updated.
2. An understanding of cause and effect relationships among various attributes of the water resource, landscape, and human activities.

Without these elements, it is difficult to accurately diagnose the cause of watershed problems, define solutions, and evaluate the effectiveness of those solutions.

Many planning units have found that achieving a well-informed understanding of watershed conditions and designing scientifically based management actions presents a major challenge. This is particularly true because of the breadth of issues addressed in watershed planning. Assembling adequate data and understanding cause and effect relationships in the water quantity arena poses a large challenge in itself. When water quality, habitat, and instream flow issues are included, this becomes even more complex.

In many watersheds basic data is missing or inadequate. For example, this may include stream flow records; quantitative information on diversions or pumping; sustained data on water quality parameters; or data on ground water levels. In other cases, the relationship among watershed factors is poorly understood or inadequately quantified, such as the relationship between land cover and water temperatures; or stream flow and fish production. Finally, for many issues of vital importance to watershed management, modeling tools needed for effective management are either inadequate or require large investments to tailor models for local applications. While these deficiencies may be partially addressed during the assessment phase of developing a watershed plan, large gaps will often remain.

This is not a universal problem. In some WRIAs, the information base accumulated over many years is sufficient for decision-making, at least on some of the issues under consideration. Members of the Committee have noted that information needs should not become an excuse for deferring decisions indefinitely. The risks associated with inaction need to be weighed against the time and resources needed to gather improved information. During both planning and implementation phases, planning units should explore in detail how management actions will be affected by improved information, and should consider whether this justifies postponing actions while information is gathered.

Many planning units have found that both the grant funding and time period allotted for performing a watershed assessment and developing a watershed plan under Chapter 90.82 RCW are highly limiting, in terms of improving the watershed-wide information base across a range of complex issues. Therefore, in many WRIAs the task of improving the scientific basis for management actions will need to continue even after a plan is approved and adopted. In addition, many planning units anticipate that plans will be implemented using adaptive management principles.

Therefore, the Committee anticipates that some Planning Units may identify a need for continual monitoring and data management, with respect to a range of watershed factors. Purposes of ongoing data collection and management will vary, and may include:

- Ongoing assessment of status and trends for the watershed as a whole, or for large subbasins;
- Design of specific management actions, at the scale of individual subbasins, river reaches, or aquifers;
- Evaluation of project effectiveness, and modification of actions (i.e. adaptive management), also at the scale of individual subbasins, river reaches, or aquifers;
- Ongoing research to improve understanding of watershed systems and cause-effect relationships.

Each of these categories will need to be carefully designed in terms of parameters to be monitored, frequency of data collection, sampling or measurement methodology, methods of data reduction, analysis and quality assurance, and comparability among various data sources as well as over time. These elements are also related to the subject of flexibility and adaptation, discussed in Section 6 of this report.

Where Planning Units identify monitoring and data management as an implementation activity, it will require expertise, funding, and coordination among the many organizations involved at various levels. Investment in this area is vital, because the success of watershed management will in large measure depend on sound information and scientific understanding of each watershed.

5.2 Statewide Effort to Address Monitoring Needs

Senate Substitute Bill (SSB) 5637, passed during the 2001 Legislative Session, provided for a Monitoring Oversight Committee (MOC) to examine and develop recommendations related to monitoring of watershed health and salmon recovery at the statewide level. The law also

requires the development of a state agency action plan that phases in full implementation of the monitoring strategy by June 30, 2007. The MOC is scheduled to deliver a final report to the Governor and appropriate committees of the Legislature by December 1, 2002.

The Phase 4 Watershed Plan Implementation Committee has reviewed the MOC's Interim Report summarizing progress on 11 specific tasks. The MOC's project manager was invited to give a presentation to the Phase 4 Committee in August 2002, summarizing the MOC's findings and recommendations to that point. In addition, Ecology staff working with the Watershed Implementation Committee also serve on the MOC, providing a valuable link between these processes.

As a point of reference, it is important to note that the scale of monitoring addressed by the MOC is very different from that needed in watershed management. This stems from the differing purposes of the MOC, as compared with individual WRIA planning units. The MOC's monitoring strategy appears to be primarily aimed at the statewide scale. It is designed to inform management actions by State agencies, improve coordination among State agencies and others, provide for adaptive management with respect to State programs, and assess how productive State investments have been in salmon restoration and watershed health.

The Watershed Implementation Committee supports these objectives and activities. Improving monitoring approaches and coordination at the statewide level can offer valuable benefits at the WRIA scale. However, at the WRIA level, watershed management will require much more detailed data at a finer scale. For example, in a statewide framework, streamflow gauges on each of the State's major rivers could conceivably be sufficient. At the WRIA scale, however, multiple gauges on major rivers, together with gauges on some tributaries will likely be needed to allow for effective management actions. The same logic applies to water quality data, habitat data, and data on water use and water rights.

The Watershed Implementation Committee also notes that the MOC's activity does not fully encompass the range of issues addressed in watershed plans. For example, most watershed planning units find that assembling detailed information on demographic change, water rights and water use, and other human activities in the watershed is equally important as gathering data on physical conditions in the watershed. However, this type of information does not appear to be addressed by the MOC. This difference arises from the different purposes of the MOC compared with a watershed planning unit. Planning units are concerned with managing water supplies to meet future needs, improving habitat conditions, managing flows, and improving both surface water and ground water quality. These concerns must be managed with attention to the needs of local communities, and must be coordinated throughout the watershed. It should not be surprising that the information needs to meet these purposes will be different, though linked, to the data needed for statewide management of salmon recovery and watershed health.

With these caveats in mind, the Phase 4 Watershed Plan Implementation Committee fully supports the MOC's work and has found the MOC's interim work products to be highly valuable. Many of the approaches and recommendations of the MOC at the statewide level can be adapted for use at the WRIA level. For example, the following four themes identified by the MOC could be applied at the WRIA or subbasin scale, as well as the statewide scale:

- Creation of an adaptive management framework;
- Accessibility of monitoring information;
- Integrated monitoring of habitat, water, and fish;
- Accountability for effectiveness of investments in [management] actions.

The Committee recommends that Watershed Planning Units refer to the MOC's work, as they devise their own programs for monitoring at the WRIA or subbasin scale. The differences in purpose and scale discussed above should be recognized as this is done.

5.3 Coordination of Monitoring Efforts

During the assessment process, many planning units have found that monitoring and information management activities are not well coordinated among the various agencies and organizations involved. For example, data on water quality conditions may be gathered separately by counties, conservation districts, irrigation districts, tribes, and multiple state and federal agencies. Parameters sampled, frequency of sampling, sample collection and testing protocols, and statistical methods used in analyzing results all may vary substantially. In many cases, there is no systematic process to share the results or even inform other organizations that monitoring activities are underway.

Improving the coordination of monitoring efforts can offer benefits not only in terms of the value of the information, but also in terms of cost savings. At the same time, it is important to recognize that data is collected for specific purposes. It is not realistic to expect monitoring activities conducted for a specific purpose to provide information that fully addresses other purposes. Nonetheless, the Committee believes that, in many WRIAs, coordination of monitoring activities can be improved substantially over the status quo.

Watershed planning units should take this into account as they move into the implementation phase. At the state level, agencies with extensive monitoring activities or information gathering involving watershed conditions, water rights and water uses, or water-related infrastructure should explore means of improving coordination among themselves, and with their counterparts in federal agencies, local governments, and the private sector. This is also a topic discussed by the MOC at the statewide level.

5.4 Data Management and Data Sharing

Once data has been collected, its value can be enhanced through effective data management. Data management includes elements such as storage and retrieval; database design; preservation of quality assurance and quality control (QA/QC) information; development of metadata describing datasets; tools that allow linking databases together; and linkage to Geographic Information Systems (GIS).

Data management decisions necessarily involve choices about who will store and manage data. Options may include state agencies, local governments, tribes, and universities, as well as private contractors. This discussion, in turn, has implications related to coordination and oversight of the watershed plan implementation process (see Section 3) as well as funding options at the

local, state and federal level (see Section 4). As planning units develop approaches to coordination, oversight, and funding of the implementation process, data management should be considered.

Providing access to watershed data, studies and related information is also an important consideration for implementing watershed plans. This is closely related to the themes of coordination and oversight of the implementation process, discussed in Section 3 of this report.

As noted in Section 5.1, data collected at the watershed scale may be configured for a variety of purposes, ranging from more general to more specific. During the implementation phase, if different organizations are carrying out various elements of the watershed plan, there will be a need to share data. This can be accomplished in a variety of ways, including:

- Specific agreements to disseminate monitoring data, studies, etc. as they are generated;
- Establishment of a centralized location for storing hard copy reports and providing access to interested parties;
- Development of a centralized "data service center," where either raw data or processed data can be made available in digital formats over the Internet.

The Committee reviewed one concept for a data service center (see Appendix G) which was developed for the statewide level. This concept could be refined for application at either the watershed scale; or at a regional scale encompassing a number of watersheds. The MOC has also discussed avenues for improving data access and availability, including through Web portals. In some WRIAs these approaches may be useful; while in others they may not be needed. Planning Units themselves will determine the extent to which data sharing techniques are appropriate.

The Committee recommends that Planning Units consider how data access and sharing applies to implementation of their respective watershed plans. State agencies should continue to explore approaches to supporting this activity, not only at the statewide scale, but at a finer scale appropriate to watershed management activities. The Committee notes that state agencies cannot make significant improvements in data sharing and data access, without significant funding in the State budget.

5.5 Funding for Monitoring and Data Management at the Watershed Scale

At this time, specific funding needs for monitoring and data management in the WRIAs are not well defined. These needs will emerge as watershed plans are developed and finalized in 2003, 2004 and following years. Section 2 of this report includes estimates of a wide range of watershed management activities, and addresses monitoring needs to a limited extent. It is anticipated that watershed plans will identify many additional needs for monitoring and data management. As noted in Section 5.1, this is a vital area where funding support from local, state and federal sources will be needed.

5.6 Recommendations to Planning Units and Implementing Organizations

- Planning units or implementing organizations should consider the need for monitoring, data management, and data sharing programs as a component of the implementation plan recommended in Section 3.7 of this report. The discussion of monitoring and data management should address each of the issues discussed above, such as the purposes of data collection, the need for sustained efforts to update key data, coordination of monitoring activities, and provisions for data management. For each action, or group of actions, listed in a watershed plan, identify what kind of information will be needed to assess effectiveness and determine when changes may be needed.

- Planning units or implementing organizations should identify specific funding needs related to monitoring and data management, and should review options at the local, state and federal levels, to meet this need.

- The Committee recommends that Watershed Planning Units refer to the Monitoring Oversight Committee's (MOC) work, as they devise their own programs for monitoring at the WRIA or subbasin scale. Many of the concepts developed by the MOC at the statewide scale may be transferable to the WRIA or subbasin scale. The differences in purpose and scale discussed in Section 5.2 should be recognized as this is done.

- Information gaps should not be used as an excuse to prevent action. Planning units or implementing organizations should weigh the need for improved information against the costs associated with pursuing additional information and the risks of delaying water resource and watershed management decisions.

5.7 Recommendations to State Agencies and Monitoring Oversight Committee

- Statewide monitoring and information systems should not be limited to activities centered only on salmon recovery. Rather, these efforts should address a broad range of water-resource information, including demographic growth, land use, water rights and water uses.

- The State should develop improved monitoring programs to meet statewide needs, including improved coordination among State agencies. These programs should also consider the need for improved monitoring capabilities at the WRIA and subbasin scale.

- As data management and data access systems are developed or improved, they should provide for retrieval of data on the geographic basis of watersheds.

- Regional or statewide data centers should be established to store water resource and habitat data, and to provide access to this data to watershed managers and the public. Linkages to local implementation of watershed plans should be provided for.

5.8 Recommendations to the Legislature

- The Legislature should consider funding ongoing efforts to improve and update watershed information in areas where Planning Units determine that data limitations preclude effective watershed management actions.

- The Legislature should recognize that efforts to improve data gathering, management, and coordination at the statewide level cannot substitute for the need for data at a finer scale of resolution, at the WRIA or subbasin scale.

Section 6
Flexibility and Adaptation in Plan Implementation

Several considerations suggest that the actions recommended in watershed plans will need to be refined or modified during implementation. These considerations include the following:

- Some critical information is unavailable or rapidly changing, as actions are being defined in the watershed plan. As further information is developed during implementation, actions may need to be modified to achieve plan objectives.

- Some tools for fixing watershed problems will be "experimental." More will be learned about their effectiveness as solutions are implemented.

- Some actions will be contingent upon receiving funding, permit approvals, or other conditions. If the requisite conditions are not fulfilled, the action may be impossible to carry out.

- Some plans may include a carefully balanced "package" of actions to meet a range of objectives. If some of these actions cannot be carried out for some reason, the balance of the overall plan will be compromised. In this case, adjustments may be needed to re-balance the overall program.

- In some WRIAs, new programs or projects may be carried out outside of the watershed planning framework, that could be contrary to the intent of the watershed plan. If so, adjustments may be needed.

- State agencies and local governments will adopt rules or ordinances to implement some plan provisions. This will be done through a public process, and it is possible that the rule or ordinance will be different from what the Planning Unit anticipated. In this case, some adjustments may be necessary.

This Section discusses how procedures to allow for flexibility and adaptation can be built into the implementation process. This discussion is closely related to other sections of this report, including Sections 3, 4, and 5. With these provisions in place, watershed plans can be viewed as "living" documents that better meet the needs of watersheds undergoing continual change.

6.1 Procedural Approaches

The Committee has identified a number of procedural options that could allow for adjustments during the implementation phase. These could be used separately, or jointly, depending on the circumstances. For ongoing adjustments and implementation decisions needed simply to implement plan provisions, the following approaches could be used:

- Designate an "implementation team" comprised of each entity that has specific implementation responsibilities, to continually manage the implementation process and respond to changing circumstances. Create a charter that clearly delineates the team's responsibilities and limitations. This approach is closely linked to the discussion in Section 3, regarding coordination and oversight of plan implementation, and designation of "Implementing Governments."

- Design specific adjustments into the plan itself. For example, a given management action might include some "if-then" conditions that would allow for specific, pre-designed adjustments. This would likely apply only to actions that can be very clearly specified in terms of alternate effects: I.e., if effect "a" occurs, then a specific course of action would be prescribed; if effect "b" occurs, a different action would be prescribed. This option is less flexible, but may be appropriate for some conditions.

The approach to managing the implementation process to allow for ongoing decision-making is closely related to the discussion of coordination and oversight in Section 3.3 of this report.

To supplement this management approach, there also needs to be consideration of means for formally modifying the watershed plan from time to time. Options for this include:

- Periodically amend the watershed plan or add new elements.

- Periodically update or revise the entire plan, including assessment data, analysis, recommended actions, and implementation program.

For either amending or updating the plan, the "right" time to do this may vary from one WRIA to another. Many planning processes under state law have either a requirement or an option for periodic updating. For watershed plans, the Committee suggests a *periodic review* of implementation by the Planning Unit, to decide whether it would be useful to update and revise the Plan. This review could be conducted on a regular basis, for example every year. At each of these junctures, the Planning Unit would be asked to consider the following:

- Have the actions listed in the watershed plan been implemented?
- Are the desired results being achieved?
- Is the overall intent of the plan being met?
- Are there new information gaps or changing conditions that require review?
- Are there new issues that were not considered during the planning phase, that need to be addressed?

Depending on the answers to these questions, the Planning Unit could recommend to the Implementing Governments that the Plan be re-opened and updated. The Implementing Governments would then have the responsibility to decide whether this should be done, and how to cover the costs and staffing needs associated with this activity.

6.2 Relationship to Watershed Monitoring

The theme of flexibility and adaptation is closely linked with the need for continual updating of information on the status of watershed conditions, as well as trends in those conditions. Monitoring and data management issues are discussed in Section 5 of this Report. Effective systems for monitoring and data management will be an important component of any approach to updating and improving watershed plans. These systems should be explicitly designed to provide information useful in determining whether, and how, to adjust management actions over time. This is a fundamental aspect of adaptive management.

6.3 Recommendations to Planning Units and Implementing Organizations

- Provisions to allow for "day to day" management decisions; periodic review of progress towards implementation; and occasional updating or revision of the watershed plan should be built into the Implementation Plan recommended in Section 3.7.

6.4 Recommendations to the Legislature

- The Legislature should amend Chapter 90.82 RCW to provide for periodic review of approved watershed plans, and to allow for amendment of plans if needed. The review should be carried out by Planning Units, or a similar successor group, as discussed above. However, this review should be advisory only. Actual decisions regarding when to amend a plan, what to amend, and how to carry out and finance the amendment process should be at the discretion of the Implementing Governments described in Section 3.4. Approval of amendments to a plan should be through a process involving the county legislative authorities, following the procedures outlined in Chapter 90.82.130 RCW[1], for approval of the original watershed plan. Once approved, the "obligations" voluntarily accepted by implementing organizations should become binding, as per the provisions of Chapter 90.82.130 (see related recommendation in Section 3.8, regarding amendment of this section of the law).

- The Legislature should consider providing funding for periodic updates of watershed plans in the future, where there is a demonstrated need identified by the local planning unit or a successor organization.

[1] Appendix A contains a copy of Chapter 90.82 RCW.

Section 7
Conclusions

The Phase 4 Watershed Plan Implementation Committee had extensive opportunity to discuss issues surrounding implementation in seven day-long meetings over a seven-month period. As may be expected, these discussions were lively, and a wide range of perspectives were expressed. A public workshop and written comments received provided additional input to the process. Yet over the course of its activity, the Committee has identified a number of themes consistently. This conclusion highlights these core themes.

7.1 General Findings

The State's watershed management program under Chapter 90.82 RCW encompasses a sweeping range of water-resource management issues. These include water supply, water quality, stream flow management, and habitat enhancement. These are vital issues for the future of the State, and the residents of every region. Therefore, sustaining the efforts begun in the planning phase and providing a sound foundation for carrying out watershed plans represents an important investment at both the local and statewide level.

At the same time, the watershed management program must still be considered an "experiment." The planning grants have provided a stimulus to diverse groups across the state. With local leadership and state agency support, these groups are shaping the future of their watersheds. Yet in virtually every WRIA, there is considerable uncertainty over how plans will be implemented. These experiments, though promising, could prove fruitless if momentum is lost during the transition from plan to action. By providing the organizational tools and financial resources needed for successful transition to the implementation phase, the Legislature can take a critical step in ensuring the watershed management program yields real results.

7.2 Importance of Coordination and Oversight During Implementation

The Committee believes that effective coordination and oversight of the implementation process in each WRIA will be critical to the success of watershed management. Some framework for coordination is needed, so the many actions included in each watershed plan, spanning diverse natural resources and community needs, will work together to meet the objectives intended by Planning Units. The framework for coordination and oversight must be locally designed to fit into the existing pattern of relationships and responsibilities within each WRIA. Therefore, no single approach is recommended for statewide application. However, the Committee's recommendations are designed to offer planning units and implementing organizations with a range of options to fulfill this need. In addition, several changes to Chapter 90.82 RCW are recommended to provide the necessary legal underpinnings for successful coordination and oversight at the local level.

The Planning Units formed under Chapter 90.82 RCW have played a vital role in analyzing watershed conditions in each WRIA and identifying potential solutions to outstanding needs. Under the watershed management act these Planning Units have no continued role identified

after the Plan has been completed and approved. Moreover, Planning Units themselves have limited capabilities in terms of implementing specific actions recommended in the Plan. The Committee believes that the productive relationships and comprehensive outlook developed by Planning Units over a four year period make them extremely valuable for continued involvement. One role that would clearly be appropriate for Planning Units is continued oversight of Plan implementation. This can help ensure that actions carried out by various parties are consistent with Plan objectives. In addition, they may recommend updating or amending of Plans from time to time.

Because of the importance of coordination and oversight functions, the Committee has also recommended the State provide financial support for this activity for a period of time.

7.3 Funding Needs

At this time, efforts to estimate the funding needs associated with implementation of watershed plans can be only provisional at best. This is because few watershed planning units have yet defined the actions to be included in their watershed plans, and no planning unit has yet approved a watershed plan. The Committee has attempted to gain an understanding of these costs to an order of magnitude, by characterizing general categories of actions that have been identified by Planning Units, and reviewing representative costs for these types of actions. Costs are highly variable, and depend to a great degree on local needs and circumstances. Moreover, the number of projects in each category that will be recommended statewide is only conjecture at this time. Much better information on these needs will become available when a number of Planning Units have completed their plans, for example by the end of 2004.

Despite these limitations, the Committee has generated one estimate of possible needs, amounting to approximately $5.9 billion. Several caveats are in order regarding this figure. First, it is highly uncertain, due to the points discussed above. Second, it does not represent a need for State funding alone, since many costs may be borne, in part, by either local or federal sources, as well as private sector organizations. Third, these are not "new" needs, and they were not created by the watershed planning process. Instead, watershed plans will likely group many needs together that have already been identified through other processes, such as habitat restoration efforts, water and wastewater system plans, irrigation district needs, and water quality programs. Traditionally, these costs have been kept in separate "boxes," based on the way that regulatory and funding programs are organized at either the State or federal level. Because watershed planning is intentionally comprehensive, all of these costs become additive in the context of a watershed plan.

Finally, the Committee emphasizes that watershed plans offer the potential to improve the return on investment from water-resource infrastructure projects and programs. This is because the watershed planning process offers a means to define and review proposed projects and programs from a comprehensive perspective. Planning units striving to meet multiple objectives for people and the environment simultaneously, will, it is hoped, package actions together that are naturally complementary, rather than counteractive. Moreover, to the extent that watershed plans do a good job of defining local priorities, they will help make informed choices about how investments in water resource should be spent.

7.4 Funding Approaches

The Committee believes that funding for implementation of watershed plans will need to involve a combination of local, state and federal sources, and, in some cases, contributions from private sector organizations.

Some Committee members have indicated that local governments, particularly multipurpose governments, will be hard pressed to contribute funds for water resource management. They point out that the public in local areas is weary of new fees and taxes, and that other priorities are higher on the public agenda at the local level. Other Committee members believe that local governments and special districts must take a part in financing water resource management actions, and that public support can be obtained through sustained efforts at education and outreach. In the end, both of these perspectives carry weight, applying in varying degrees within each of the State's 62 WRIAs.

Because the Committee received its charge from the Legislature, it devoted considerable attention to how the State can help to finance implementation of watershed plans. As discussed above, the Committee believes that grants to support coordination and oversight of the implementation process would be extremely valuable in ensuring the watershed planning "experiment" yields successful results. This can be achieved with a relatively modest level of funding. For example, this could be supported by a State contribution of approximately $2 million per year, over a period of seven to ten years, as the various planning units transition to the implementation phase.

Financing the various projects and programmatic activities recommended in watershed plans will require much more substantial funding. As noted above, one estimate indicates this need will be in the billions, although this cost may be shared by the local and federal levels. The Committee has identified two, complementary approaches for the State to contribute its share of this need.

First, many of the infrastructure projects recommended in watershed plans will be consistent with eligibility requirements of existing funds such as the Centennial Clean Water Fund, Salmon Recovery Fund, Public Works Trust Fund, Clean Water State Revolving Fund, and others. The various existing State funding programs should be examined carefully to determine how current revenue streams can contribute to funding implementation of watershed plans.

Second, the Committee anticipates that funding needs for effective water resource management will exceed the capacity of these existing funds by a considerable margin. Therefore, the Legislature should consider establishing a new source of revenue to pay for needed infrastructure. Several principles for such a program are outlined in this report, and number of alternative proposals are reviewed.

7.5 Additional Findings

In addition to the topics discussed above, the Committee reviewed several additional issues related to implementation of watershed plans. These include the need for improved information and data management at the local and regional level; provisions for adaptive management in plan implementation, including procedures for updating and amending watershed plans in the future;

and potential amendments to other State laws besides Chapter 90.82 RCW. The Committee has provided specific recommendations on monitoring, information, and data management; as well as providing for flexibility and adaptation in the implementation process.

Modifications to State water law proved to be more challenging. While the Committee did not provide extensive findings or recommendations on this topic, the content of its discussions on water law can be found by reviewing Appendix C. It is anticipated that some watershed plans may also identify specific changes suggested for State rules and statutes.

The Committee also briefly reviewed considerations related the State and National Environmental Policy Acts (SEPA and NEPA). However, because the Department of Ecology has been undertaking a comprehensive effort to develop a statewide Environmental Impact Statement for use by Planning Units, the Committee did not address this topic in detail.

7.6 Recommendations

The Phase 4 Watershed Plan Implementation Committee has identified over 25 specific recommendations, addressed to the Legislature, Planning Units, State agencies and the varied governments, special districts and other organizations that will implement watershed plans. These recommendations are not repeated here. Instead, they can be found at the ends of Sections 3 through 6 of this report, respectively. In addition, the recommendations are gathered together in the Executive Summary.

7.7 Closing Remarks

The Committee hopes that the conclusions and recommendations presented in this report prove useful to the Legislature and others in looking ahead to the implementation phase of the watershed management program. Considerable progress in terms of planning has been made since passage of Chapter 90.82 RCW. Following through on the recommendations provided in this report will help to ensure that planning units, lead agencies and implementing organizations have the tools and resources they need to carry out their watershed plans successfully, thereby bringing the watershed management program to fruition. This can provide a basis for current and future economic vitality and watershed health across the State.

Appendix A
Watershed Management Act (Chapter 90.82 RCW), As Amended in 2001 Legislative Session

CHAPTER 90.82 RCW

WATERSHED PLANNING

(Formerly: Water resource management)

Sections

RCW 90.82.005 Purpose. The purpose of this chapter is to develop a more thorough and cooperative method of determining what the current water resource situation is in each water resource inventory area of the state and to provide local citizens with the maximum possible input concerning their goals and objectives for water resource management and development.

It is necessary for the legislature to establish processes and policies that will result in providing state agencies with more specific guidance to manage the water resources of the state consistent with current law and direction provided by local entities and citizens through the process established in accordance with this chapter. [1997 c 442 § 101.]

RCW 90.82.010 Finding. The legislature finds that the local development of watershed plans for managing water resources and for protecting existing water rights is vital to both state and local interests. The local development of these plans serves vital local interests by placing it in the hands of people: Who have the greatest knowledge of both the resources and the aspirations of those who live and work in the watershed; and who have the greatest stake in the proper, long-term management of the resources. The development of such plans serves the state's vital interests by ensuring that the state's water resources are used wisely, by protecting existing water rights, by protecting instream flows for fish, and by providing for the economic well-being of the state's citizenry and communities. Therefore, the legislature believes it necessary for units of local government throughout the state to engage in the orderly development of these watershed plans. [1997 c 442 § 102.]

RCW 90.82.020 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of ecology.

(2) "Implementing rules" for a WRIA plan are the rules needed to give force and effect to the parts of the plan that create rights or obligations for any party including a state agency or that establish water management policy.

(3) "Minimum instream flow" means a minimum flow under chapter 90.03 or 90.22 RCW or a base flow under chapter 90.54 RCW.

(4) "WRIA" means a water resource inventory area established in chapter 173-500 WAC as it existed on January 1, 1997.

(5) "Water supply utility" means a water, combined water-sewer, irrigation, reclamation, or public utility district that provides water to persons or other water users within the district or a division or unit responsible for administering a publicly governed water supply system on behalf of a county.

(6) "WRIA plan" or "plan" means the product of the planning unit including any rules adopted in conjunction with the product of the planning unit. [1997 c 442 § 103.]

RCW 90.82.030 Principles. In order to have the best possible program for appropriating and administering water use in the state, the legislature establishes the following principles and criteria to carry out the purpose and intent of chapter 442, Laws of 1997.

(1) All WRIA planning units established under this chapter shall develop a process to assure that water resource user interests and directly involved interest groups at the local level have the opportunity, in a fair and equitable manner, to give input and direction to the process.

(2) If a planning unit requests technical assistance from a state agency as part of its planning activities under this chapter and the assistance is with regard to a subject matter over which the agency has jurisdiction, the state agency shall provide the technical assistance to the planning unit.

(3) Plans developed under chapter 442, Laws of 1997 shall be consistent with and not duplicative of efforts already under way in a WRIA, including but not limited to watershed analysis conducted under state forest practices statutes and rules. [1997 c 442 § 104.]

RCW 90.82.040 WRIA planning units--Watershed planning grants--Eligibility criteria--Administrative costs. (1) Once a WRIA planning unit has been initiated under RCW 90.82.060 and a lead agency has been designated, it shall notify the department and may apply to the department for funding assistance for conducting the planning. Funds shall be provided from

and to the extent of appropriations made by the legislature to the department expressly for this purpose.

(2)(a) Each planning unit that has complied with subsection (1) of this section is eligible to receive watershed planning grants in the following amounts for three phases of watershed planning:

(i) Initiating governments may apply for an initial organizing grant of up to fifty thousand dollars for a single WRIA or up to seventy-five thousand dollars for a multi-WRIA management area in accordance with RCW 90.82.060(4);

(ii)(A) A planning unit may apply for up to two hundred thousand dollars for each WRIA in the management area for conducting watershed assessments in accordance with RCW 90.82.070, except that a planning unit that chooses to conduct a detailed assessment or studies under (a)(ii)(B) of this subsection or whose initiating governments choose or have chosen to include an instream flow or water quality component in accordance with RCW 90.82.080 or 90.82.090 may apply for up to one hundred thousand additional dollars for each instream flow and up to one hundred thousand additional dollars for each water quality component included for each WRIA to conduct an assessment on that optional component and for each WRIA in which the assessments or studies under (a)(ii)(B) of this subsection are conducted.

(B) A planning unit may elect to apply for up to one hundred thousand additional dollars to conduct a detailed assessment of multipurpose water storage opportunities or for studies of specific multipurpose storage projects which opportunities or projects are consistent with and support the other elements of the planning unit's watershed plan developed under this chapter; and

(iii) A planning unit may apply for up to two hundred fifty thousand dollars for each WRIA in the management area for developing a watershed plan and making recommendations for actions by local, state, and federal agencies, tribes, private property owners, private organizations, and individual citizens, including a recommended list of strategies and projects that would further the purpose of the plan in accordance with RCW 90.82.060 through 90.82.100.

(b) A planning unit may request a different amount for phase two or phase three of watershed planning than is specified in (a) of this subsection, provided that the total amount of funds awarded do not exceed the maximum amount the planning unit is eligible for under (a) of this subsection. The department shall approve such an alternative allocation of funds if the planning unit identifies how the proposed alternative will meet the goals of this chapter and provides a proposed timeline for the completion of planning. However, the up to one hundred thousand additional dollars in funding for instream flow and water quality components and for water storage assessments or studies that a planning unit may apply for under (a)(ii)(A) of this subsection may be used only for those instream flow, water quality, and water storage purposes.

(c) By December 1, 2001, or within one year of initiating phase one of watershed planning, whichever occurs later, the initiating governments for each planning unit must inform the department whether they intend to have the planning unit establish or amend instream flows as part of its planning process. If they elect to have the planning unit establish or amend instream flows, the planning unit is eligible to receive one hundred thousand dollars for that purpose in accordance with (a)(ii) of this subsection. If the initiating governments for a planning unit elect not to establish or amend instream flows as part of the unit's planning process, the department shall retain one hundred thousand dollars to carry out an assessment to support establishment of instream flows and to establish such flows in accordance with RCW 90.54.020(3)(a) and chapter 90.22 RCW. The department shall not use these funds to amend an existing instream flow unless requested to do so by the initiating governments for a planning unit.

(d) In administering funds appropriated for supplemental funding for optional plan components under (a)(ii) of this subsection, the department shall give priority in granting the available funds to proposals for setting or amending instream flows.

(3)(a) The department shall use the eligibility criteria in this subsection (3) instead of rules, policies, or guidelines when evaluating grant applications at each stage of the grants program.

(b) In reviewing grant applications under this subsection (3), the department shall evaluate whether:

(i) The planning unit meets all of the requirements of this chapter;

(ii) The application demonstrates a need for state planning funds to accomplish the objectives of the planning process; and

(iii) The application and supporting information evidences a readiness to proceed.

(c) In ranking grant applications submitted at each stage of the grants program, the department shall give preference to applications in the following order of priority:

(i) Applications from existing planning groups that have been in existence for at least one year;

(ii) Applications that address protection and enhancement of fish habitat in watersheds that have aquatic fish species listed or proposed to be listed as endangered or threatened under the federal endangered species act, 16 U.S.C. Sec. 1531 et seq. and for which there is evidence of an inability to supply adequate water for population and economic growth from:

(A) First, multi-WRIA planning; and

(B) Second, single WRIA planning;

(iii) Applications that address protection and enhancement of fish habitat in watersheds or for which there is evidence of an inability to supply adequate water for population and economic growth from:

(A) First, multi-WRIA planning; and

(B) Second, single WRIA planning.

(d) The department may not impose any local matching fund requirement as a condition for grant eligibility or as a preference for receiving a grant.

(4) The department may retain up to one percent of funds allocated under this section to defray administrative costs.

(5) Planning under this chapter should be completed as expeditiously as possible, with the focus being on local stakeholders cooperating to meet local needs.

(6) Funding provided under this section shall be considered a contractual obligation against the moneys appropriated for this purpose. [2001 c 237 § 2; 1998 c 247 § 1; 1997 c 442 § 105.]

NOTES:

Finding--Intent--2001 c 237: "The legislature is committed to meeting the needs of a growing population and a healthy economy statewide; to meeting the needs of fish and healthy watersheds statewide; and to advancing these two principles together, in increments over time.

The legislature finds that improved management of the state's water resources, clarifying the authorities, requirements, and timelines for establishing instream flows, providing timely decisions on water transfers, clarifying the authority of water conservancy boards, and enhancing the flexibility of our water management system to meet both environmental and economic goals are important steps to providing a better future for our state.

The need for these improvements is particularly urgent as we are faced with drought conditions. The failure to act now will only increase the potential negative effects on both the economy and the environment, including fisheries resources.

Deliberative action over several legislative sessions and interim periods between sessions will be required to address the long-term goal of improving the responsiveness of the state water code to meet the diverse water needs of the state's citizenry. It is the intent of the legislature to begin this work now by providing tools to enable the state to respond to imminent drought conditions and other immediate problems relating to water resources management. It is also the legislature's intent to lay the groundwork for future legislation for addressing the state's long-term water problems." [2001 c 237 § 1.]

Severability--2001 c 237: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [2001 c 237 § 33.]

Effective date--2001 c 237: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 10, 2001]." [2001 c 237 § 34.]

Intent--2001 c 237: See note following RCW 90.66.065.

RCW 90.82.050 Limitations on liability. (1) This chapter shall not be construed as creating a new cause of action against the state or any county, city, town, water supply utility, conservation district, or planning unit.

(2) Notwithstanding RCW 4.92.090, 4.96.010, and 64.40.020, no claim for damages may be filed against the state or any county, city, town, water supply utility, tribal governments, conservation district, or planning unit that or member of a planning unit who participates in a WRIA planning unit for performing responsibilities under this chapter. [1997 c 442 § 106.]

RCW 90.82.060 Initiation of watershed planning--Scope of planning--Technical assistance from state agencies. (1) Planning conducted under this chapter must provide for a process to allow the local citizens within a WRIA or multi-WRIA area to join together in an effort to: (a) Assess the status of the water resources of their WRIA or multi-WRIA area; and (b) determine how best to manage the water resources of the WRIA or multi-WRIA area to balance the competing resource demands for that area within the parameters under RCW 90.82.120.

(2) Watershed planning under this chapter may be initiated for a WRIA only with the concurrence of: (a) All counties within the WRIA; (b) the largest city or town within the WRIA unless the WRIA does not contain a city or town; and (c) the water supply utility obtaining the largest quantity of water from the WRIA or, for a WRIA with lands within the Columbia Basin project, the water supply utility obtaining from the Columbia Basin project the largest quantity of water for the WRIA. To apply for a grant for organizing the planning unit as provided for under RCW 90.82.040(2)(a), these entities shall designate the entity that will serve as the lead agency for the planning effort and indicate how the planning unit will be staffed.

(3) Watershed planning under this chapter may be initiated for a multi-WRIA area only with the concurrence of: (a) All counties within the multi-WRIA area; (b) the largest city or town in each WRIA unless the WRIA does not contain a city or town; and (c) the water supply utility obtaining the largest quantity of water in each WRIA.

(4) If entities in subsection (2) or (3) of this section decide jointly and unanimously to proceed, they shall invite all tribes with reservation lands within the management area.

(5) The entities in subsection (2) or (3) of this section, including the tribes if they affirmatively accept the invitation, constitute the initiating governments for the purposes of this section.

(6) The organizing grant shall be used to organize the planning unit and to determine the scope of the planning to be conducted. In determining the scope of the planning activities, consideration shall be given to all existing plans and related planning activities. The scope of planning must include water quantity elements as provided in RCW 90.82.070, and may include water quality elements as contained in RCW 90.82.090, habitat elements as contained in RCW 90.82.100, and instream flow elements as contained in RCW 90.82.080. The initiating governments

shall work with state government, other local governments within the management area, and affected tribal governments, in developing a planning process. The initiating governments may hold public meetings as deemed necessary to develop a proposed scope of work and a proposed composition of the planning unit. In developing a proposed composition of the planning unit, the initiating governments shall provide for representation of a wide range of water resource interests.

(7) Each state agency with regulatory or other interests in the WRIA or multi-WRIA area to be planned shall assist the local citizens in the planning effort to the greatest extent practicable, recognizing any fiscal limitations. In providing such technical assistance and to facilitate representation on the planning unit, state agencies may organize and agree upon their representation on the planning unit. Such technical assistance must only be at the request of and to the extent desired by the planning unit conducting such planning. The number of state agency representatives on the planning unit shall be determined by the initiating governments in consultation with the governor's office.

(8) As used in this section, "lead agency" means the entity that coordinates staff support of its own or of other local governments and receives grants for developing a watershed plan. [2001 c 229 § 1; 1998 c 247 § 2.]

RCW 90.82.070 Water quantity component. Watershed planning under this chapter shall address water quantity in the management area by undertaking an assessment of water supply and use in the management area and developing strategies for future use.

(1) The assessment shall include:

(a) An estimate of the surface and ground water present in the management area;

(b) An estimate of the surface and ground water available in the management area, taking into account seasonal and other variations;

(c) An estimate of the water in the management area represented by claims in the water rights claims registry, water use permits, certificated rights, existing minimum instream flow rules, federally reserved rights, and any other rights to water;

(d) An estimate of the surface and ground water actually being used in the management area;

(e) An estimate of the water needed in the future for use in the management area;

(f) An identification of the location of areas where aquifers are known to recharge surface bodies of water and areas known to provide for the recharge of aquifers from the surface; and

(g) An estimate of the surface and ground water available for further appropriation, taking into account the minimum instream flows adopted by rule or to be adopted by rule under this chapter for streams in the management area including the data necessary to evaluate necessary flows for fish.

(2) Strategies for increasing water supplies in the management area, which may include, but are not limited to, increasing water supplies through water conservation, water reuse, the use of reclaimed water, voluntary water transfers, aquifer recharge and recovery, additional water allocations, or additional water storage and water storage enhancements. The objective of these strategies is to supply water in sufficient quantities to satisfy the minimum instream flows for fish and to provide water for future out-of-stream uses for water identified in subsection (1)(e) and (g) of this section and to ensure that adequate water supplies are available for agriculture, energy production, and population and economic growth under the requirements of the state's growth management act, chapter 36.70A RCW. These strategies, in and of themselves, shall not be construed to confer new water rights. The watershed plan must address the strategies required under this subsection.

(3) The assessment may include the identification of potential site locations for water storage projects. The potential site locations may be for either large or small projects and cover the

full range of possible alternatives. The possible alternatives include off-channel storage, underground storage, the enlargement or enhancement of existing storage, and on-channel storage. [2001 2nd sp.s. c 19 § 2; 1998 c 247 § 3.]

NOTES:

Intent--2001 2nd sp.s. c 19: "The legislature recognizes the potential for additional water storage as a solution to the water supply needs of the state. Last year the legislature created a task force to examine the role of increased water storage in providing water supplies to meet the needs of fish, population growth, and economic development, and to enhance the protection of people's lives and their property and the protection of aquatic habitat through flood control facilities. One solution discussed by the task force to address the state's water supply problem is to store water when there is excess runoff and stream flow, and deliver or release it during the low flow period when it is needed. The task force discussed the need for assessments of potential site locations for water storage projects. The legislature intends this act to assist in obtaining the assessments relating to water storage." [2001 2nd sp.s. c 19 § 1.]

RCW 90.82.080 Instream flow component--Rules. (1)(a) If the initiating governments choose, by majority vote, to include an instream flow component, it shall be accomplished in the following manner:

(i) If minimum instream flows have already been adopted by rule for a stream within the management area, unless the members of the local governments and tribes on the planning unit by a recorded unanimous vote request the department to modify those flows, the minimum instream flows shall not be modified under this chapter. If the members of local governments and tribes request the planning unit to modify instream flows and unanimous approval of the decision to modify such flow is not achieved, then the instream flows shall not be modified under this section;

(ii) If minimum stream flows have not been adopted by rule for a stream within the management area, setting the minimum instream flows shall be a collaborative effort between the department and members of the planning unit. The department must attempt to achieve consensus and approval among the members of the planning unit regarding the minimum flows to be adopted by the department. Approval is achieved if all government members and tribes that have been invited and accepted on the planning unit present for a recorded vote unanimously vote to support the proposed minimum instream flows, and all nongovernmental members of the planning unit present for the recorded vote, by a majority, vote to support the proposed minimum instream flows.

(b) The department shall undertake rule making to adopt flows under (a) of this subsection. The department may adopt the rules either by the regular rules adoption process provided in chapter 34.05 RCW, the expedited rules adoption process as set forth in *RCW 34.05.230, or through a rules adoption process that uses public hearings and notice provided by the county legislative authority to the greatest extent possible. Such rules do not constitute significant legislative rules as defined in RCW 34.05.328, and do not require the preparation of small business economic impact statements.

(c) If approval is not achieved within four years of the date the planning unit first receives funds from the department for conducting watershed assessments under RCW 90.82.040, the department may promptly initiate rule making under chapter 34.05 RCW to establish flows for those streams and shall have two additional years to establish the instream flows for those streams for which approval is not achieved.

(2)(a) Notwithstanding RCW 90.03.345, minimum instream flows set under this section for rivers or streams that do not have existing minimum instream flow levels set by rule of the department shall have a priority date of two years after funding is first received from the department

under RCW 90.82.040, unless determined otherwise by a unanimous vote of the members of the planning unit but in no instance may it be later than the effective date of the rule adopting such flow.

(b) Any increase to an existing minimum instream flow set by rule of the department shall have a priority date of two years after funding is first received for planning in the WRIA or multi-WRIA area from the department under RCW 90.82.040 and the priority date of the portion of the minimum instream flow previously established by rule shall retain its priority date as established under RCW 90.03.345.

(c) Any existing minimum instream flow set by rule of the department that is reduced shall retain its original date of priority as established by RCW 90.03.345 for the revised amount of the minimum instream flow level.

(3) Before setting minimum instream flows under this section, the department shall engage in government-to-government consultation with affected tribes in the management area regarding the setting of such flows.

(4) Nothing in this chapter either: (a) Affects the department's authority to establish flow requirements or other conditions under RCW 90.48.260 or the federal clean water act (33 U.S.C. Sec. 1251 et seq.) for the licensing or relicensing of a hydroelectric power project under the federal power act (16 U.S.C. Sec. 791 et seq.); or (b) affects or impairs existing instream flow requirements and other conditions in a current license for a hydroelectric power project licensed under the federal power act.

(5) If the planning unit is unable to obtain unanimity under subsection (1) of this section, the department may adopt rules setting such flows. [1998 c 247 § 4.]

NOTES:

***Reviser's note:** RCW 34.05.230 was amended by 2001 c 25 § 1, deleting the text that refers to expedited rules adoption. For expedited rules adoption, see RCW 34.05.353.

RCW 90.82.085 Instream flows--Assessing and setting or amending. By October 1, 2001, the department of ecology shall complete a final nonproject environmental impact statement that evaluates stream flows to meet the alternative goals of maintaining, preserving, or enhancing instream resources and the technically defensible methodologies for determining these stream flows. Planning units and state agencies assessing and setting or amending instream flows must, as a minimum, consider the goals and methodologies addressed in the nonproject environmental impact statement. A planning unit or state agency may assess, set, or amend instream flows in a manner that varies from the final nonproject environmental impact statement if consistent with applicable instream flow laws. [2001 c 237 § 3.]

NOTES:

Finding--Intent--Severability--Effective date--2001 c 237: See notes following RCW 90.82.040.

Intent--2001 c 237: See note following RCW 90.66.065.

RCW 90.82.090 Water quality component. If the initiating governments choose to include a water quality component, the watershed plan shall include the following elements:

(1) An examination based on existing studies conducted by federal, state, and local agencies of the degree to which legally established water quality standards are being met in the management area;

(2) An examination based on existing studies conducted by federal, state, and local agencies of the causes of water quality violations in the management area, including an examination of information regarding pollutants, point and nonpoint sources of pollution, and pollution-carrying capacities of water bodies in the management area. The analysis shall take into account seasonal stream flow or level variations, natural events, and pollution from natural sources that occurs independent of human activities;

(3) An examination of the legally established characteristic uses of each of the nonmarine bodies of water in the management area;

(4) An examination of any total maximum daily load established for nonmarine bodies of water in the management area, unless a total maximum daily load process has begun in the management area as of the date the watershed planning process is initiated under RCW 90.82.060;

(5) An examination of existing data related to the impact of fresh water on marine water quality;

(6) A recommended approach for implementing the total maximum daily load established for achieving compliance with water quality standards for the nonmarine bodies of water in the management area, unless a total maximum daily load process has begun in the management area as of the date the watershed planning process is initiated under RCW 90.82.060; and

(7) Recommended means of monitoring by appropriate government agencies whether actions taken to implement the approach to bring about improvements in water quality are sufficient to achieve compliance with water quality standards.

This chapter does not obligate the state to undertake analysis or to develop strategies required under the federal clean water act (33 U.S.C. Sec. 1251 et seq.). This chapter does not authorize any planning unit, lead agency, or local government to adopt water quality standards or total maximum daily loads under the federal clean water act. [1998 c 247 § 5.]

RCW 90.82.100 Habitat component. If the initiating governments choose to include a habitat component, the watershed plan shall be coordinated or developed to protect or enhance fish habitat in the management area. Such planning must rely on existing laws, rules, or ordinances created for the purpose of protecting, restoring, or enhancing fish habitat, including the shoreline management act, chapter 90.58 RCW, the growth management act, chapter 36.70A RCW, and the forest practices act, chapter 76.09 RCW. Planning established under this section shall be integrated with strategies developed under other processes to respond to potential and actual listings of salmon and other fish species as being threatened or endangered under the federal endangered species act, 16 U.S.C. Sec. 1531 et seq. Where habitat restoration activities are being developed under chapter 246, Laws of 1998, such activities shall be relied on as the primary nonregulatory habitat component for fish habitat under this chapter. [1998 c 247 § 6.]

RCW 90.82.110 Identification of projects and activities. The planning unit shall review historical data such as fish runs, weather patterns, land use patterns, seasonal flows, and geographic characteristics of the management area, and also review the planning, projects, and activities that have already been completed regarding natural resource management or enhancement in the management area and the products or status of those that have been initiated but not completed for such management in the management area, and incorporate their products as appropriate so as not to duplicate the work already performed or underway.

The planning group is encouraged to identify projects and activities that are likely to serve both short-term and long-term management goals and that warrant immediate financial assistance from the state, federal, or local government. If there are multiple projects, the planning group shall give consideration to ranking projects that have the greatest benefit and schedule those projects that should be implemented first. [1998 c 247 § 7.]

RCW 90.82.120 Plan parameters. (1) Watershed planning developed and approved under this chapter shall not contain provisions that: (a) Are in conflict with existing state statutes, federal laws, or tribal treaty rights; (b) impair or diminish in any manner an existing water right evidenced by a claim filed in the water rights claims registry established under chapter 90.14 RCW or a water right certificate or permit; (c) require a modification in the basic operations of a federal reclamation project with a water right the priority date of which is before June 11, 1998, or alter in any manner whatsoever the quantity of water available under the water right for the reclamation project, whether the project has or has not been completed before June 11, 1998; (d) affect or interfere with an ongoing general adjudication of water rights; (e) modify or require the modification of any waste discharge permit issued under chapter 90.48 RCW; (f) modify or require the modification of activities or actions taken or intended to be taken under a habitat restoration work schedule developed under chapter 246, Laws of 1998; or (g) modify or require the modification of activities or actions taken to protect or enhance fish habitat if the activities or actions are: (i) Part of an approved habitat conservation plan and an incidental take permit, an incidental take statement, a management or recovery plan, or other cooperative or conservation agreement entered into with a federal or state fish and wildlife protection agency under its statutory authority for fish and wildlife protection that addresses the affected habitat; or (ii) part of a water quality program adopted by an irrigation district under chapter 87.03 RCW or a board of joint control under chapter 87.80 RCW. This subsection (1)(g) applies as long as the activities or actions continue to be taken in accordance with the plan, agreement, permit, or statement. Any assessment conducted under RCW 90.82.070, 90.82.090, or 90.82.100 shall take into consideration such activities and actions and those taken under the forest practices rules, including watershed analysis adopted under the forest practices act, chapter 76.09 RCW.

(2) Watershed planning developed and approved under this chapter shall not change existing local ordinances or existing state rules or permits, but may contain recommendations for changing such ordinances or rules.

(3) Notwithstanding any other provision of this chapter, watershed planning shall take into account forest practices rules under the forest practices act, chapter 76.09 RCW, and shall not create any obligations or restrictions on forest practices additional to or inconsistent with the forest practices act and its implementing rules, whether watershed planning is approved by the counties or the department. [1998 c 247 § 8.]

RCW 90.82.130 Plan approval--Public notice and hearing--Revisions. (1)(a) Upon completing its proposed watershed plan, the planning unit may approve the proposal by consensus of all of the members of the planning unit or by consensus among the members of the planning unit appointed to represent units of government and a majority vote of the nongovernmental members of the planning unit.

(b) If the proposal is approved by the planning unit, the unit shall submit the proposal to the counties with territory within the management area. If the planning unit has received funding beyond the initial organizing grant under RCW 90.82.040, such a proposal approved by the planning unit shall be submitted to the counties within four years of the date that funds beyond the initial funding are first drawn upon by the planning unit.

(c) If the watershed plan is not approved by the planning unit, the planning unit may submit the components of the plan for which agreement is achieved using the procedure under (a) of this subsection, or the planning unit may terminate the planning process.

(2)(a) The legislative authority of each of the counties with territory in the management area shall provide public notice of and conduct at least one public hearing on the proposed watershed plan submitted under this section. After the public hearings, the legislative authorities of these counties shall convene in joint session to consider the proposal. The counties may approve or reject the proposed watershed plan for the management area, but may not amend it. Approval of such a proposal shall be made by a majority vote of the members of each of the counties with territory in the management area.

(b) If a proposed watershed plan is not approved, it shall be returned to the planning unit with recommendations for revisions. Approval of such a revised proposal by the planning unit and the counties shall be made in the same manner provided for the original watershed plan. If approval of the revised plan is not achieved, the process shall terminate.

(3) The planning unit shall not add an element to its watershed plan that creates an obligation unless each of the governments to be obligated has at least one representative on the planning unit and the respective members appointed to represent those governments agree to adding the element that creates the obligation. A member's agreeing to add an element shall be evidenced by a recorded vote of all members of the planning unit in which the members record support for adding the element. If the watershed plan is approved under subsections (1) and (2) of this section and the plan creates obligations: (a) For agencies of state government, the agencies shall adopt by rule the obligations of both state and county governments and rules implementing the state obligations, the obligations on state agencies are binding upon adoption of the obligations into rule, and the agencies shall take other actions to fulfill their obligations as soon as possible; or (b) for counties, the obligations are binding on the counties and the counties shall adopt any necessary implementing ordinances and take other actions to fulfill their obligations as soon as possible.

(4) As used in this section, "obligation" means any action required as a result of this chapter that imposes upon a tribal government, county government, or state government, either: A fiscal impact; a redeployment of resources; or a change of existing policy. [2001 c 237 § 4; 1998 c 247 § 9.]

NOTES:

Finding--Intent--Severability--Effective date--2001 c 237: See notes following RCW 90.82.040.

Intent--2001 c 237: See note following RCW 90.66.065.

RCW 90.82.140 Use of monitoring recommendations in RCW 77.85.210. In conducting assessments and other studies that include monitoring components or recommendations, the department and planning units shall implement the monitoring recommendations developed under RCW 77.85.210. [2001 c 298 § 2.]

NOTES:

Finding--Intent--2001 c 298: See note following RCW 77.85.210.

RCW 90.82.900 Part headings not law--1997 c 442. As used in this act, part headings constitute no part of the law. [1997 c 442 § 803.]

RCW 90.82.901 Severability--1997 c 442. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. [1997 c 442 § 805.]

RCW 90.82.902 Captions not law--1998 c 247. As used in this act, captions constitute no part of the law. [1998 c 247 § 15.]

Appendix B
Water Resources District Proposal

It is proposed that the legislature authorize a new optional special purpose "Water Resource District" (WRD). The following would apply:

General Provisions

a. Boundaries same as WRIA,

b. Can be formed only by a vote of the people living in the WRIA

c. Board of WRD would be compiled of existing elected officials such as, County Commissioners, City Council Members, PUD Commissioners, Port District Commissioners, Water and Sewer District Commissioners, or their representatives, and

d. Continued use of citizen advisory groups, such as the existing watershed planning units.

General Powers

a. Have General taxing authority,

b. Long-term water resource planning, including long-term research and monitoring,

c. Employ water masters,

d. Fund Water Conservancy Board administrative functions,

e. Operate a Trust Water Rights Bank (www.thewatertrust.org),

f. Operate a Water Supply Bank (see Idaho Water Resource Board Authority – www.idwr.state.id.us/waterboard), and

g. Public education on water resource issues.

Optional Powers

a. Optional powers can be authorized only by a vote of the people living in the WRIA,

b. 2514 Watershed Plan Implementation,

c. Fund and build water quantity and quality projects,

d. Purchase conservation easements,

e. Streamflow augmentation projects,

f. Initiate a streamlined adjudication process (funding shared with state) within its watershed,

g. Make municipal water rights independent from instream flows,

h. Approve interties within watershed,

i. Set instream flows, and

j. Require metering and reporting of all or a portion of the water users.

Appendix C
Committee Discussion of State Water Law and Related Issues

During the course of the Phase 4 Watershed Plan Implementation Committee's work, potential modifications to State water law and related issues were discussed several times. This Appendix summarizes the discussion held in regards to State water law at each of the Committee's meetings from April through September 2002.

In initial meetings, this was identified as one of approximately six topics to be addressed. However, as the Committee progressed, other issues such as funding needs and coordination and management of watershed plans absorbed much of the Committee's discussion time. Consequently, suggested modifications to State law were not developed in depth. Some individual Committee members suggested specific changes with respect to modifying the State's water law. However, these proposals were not formally acted on by the Committee.

(Note: this appendix does not address suggested changes to Chapter 90.82 RCW, which covers the watershed planning program itself. This chapter in State law was discussed much more extensively, and these suggested changes are incorporated in various sections of the report.)

April 2, 2002 Meeting

Discussion Between Committee Members and Tom Fitzsimmons

Tom Fitzsimmons, Director of the Department of Ecology offered introductory remarks at the first meeting to launch the Committee's process. Among many other questions/answers during this portion of the meeting, the following item was discussed:

Q: Many management actions could potentially conflict with current statutes. Statutes need to be changed for management to be effective. Is that consistent with Ecology's view?

A: Yes. Statutes may need to be changed. This was also the intent of the effort undertaken during the past Legislative Session. This Committee can provide guidance on changes that are needed in State law to support implementing watershed plans.

Scope and Activities for Committee Activities

During this portion of the meeting, a long list of items was "brainstormed" for consideration by the Committee. Those items related to State laws are listed below:

1.) Comments from Committee Members

- Allow ground water to be used in mitigation

- How do you implement enforcement (Current statutes are not being enforced because of political pressure)
- Explore idea of creating authority in state law for a new type of special purpose district, defined within the WRIA boundaries and with the responsibility to handle watershed implementation (this would be an option, if the locals wanted).
- Conflicts in legal authorities
- Identify changes needed in state law

2.) Comments by Others Present (not Committee members)

- Need to identify specific changes in the state water code.
- One idea: a requirement that any project listed in a watershed plan have a requirement for "regional coordination." To ensure it fits with regional priorities and actions being undertaken by other entities in the area.

Following this discussion, all the issues brainstormed were grouped into six categories for further work by the Committee. One of these categories was "Statutes/Regulations."

During the meeting it was also noted that there are various sources of information that can be "mined" by the Committee. One example is the documentation of the joint executive/legislative process to develop water legislation for the 2002 Legislative Session.

May 9, 2002 Meeting

Status of Legislative Proposals to Amend Water Code and Related Statutes (Presented by Guest – Keith Phillips, Dept. of Ecology)

Keith Phillips gave a presentation on the Governor's Water Strategy, and answered questions from committee members.

Develop Approach to Key Issues:

Eight "key issues" were discussed at the meeting. One of these was Rules and Ordinances. The following comments were made:

- Water Code
  - Would be very consuming for committee to try to propose amendments
  - Limit time on this, to achieve other priorities?
  - Give local Planning Units ability to achieve "local fixes"?
- Some specific issues in State law that may warrant review by Committee:
  - Use of interties to serve growth – change prohibition on this in State law
  - Relinquishment
  - Exempt wells

- Stock watering
- Wellhead inspections
- Stormwater – new element, so will be a lot of attention
- Linkage of watershed plans to comprehensive land use plans
  - Shorelines
  - (Note how this relates to water resource district idea – possible disconnect between land use planning and water resource planning)

Committee Listed Follow-up Actions on State Rules

Review provisions that may impede implementation of watershed plans, but "be disciplined" since this could take up more Committee time and staff resources than the Committee has available. Committee Members were requested to e-mail committee staff the top three issues needing consideration by the Committee, involving State Law.

June 13, 2002 Meeting

State law was not one of the main topics on the agenda for this meeting. However, staff displayed an overhead listing the topics that Committee members have suggested, including previous discussions, and emails received from Committee members after the last meeting. These topics are:

- Certainty of water rights
- Interties
- Change of place of use
- Exempt well provisions; and relation to annexation issues;
- Allow use of interties to serve growth
- Uncertainty as to extent and validity of existing water rights, especially water rights associated with public water systems serving growing or developing communities;
- Need for an accurate, up-to-date record of the valid water rights currently in use
- Inconsistent application of laws related to water rights changes, which frustrates efficient use and effective management of the resource
- Lack of specific, scientifically based guidance on instream flow setting
- Lack of consistent, scientifically based interpretation and application of the "hydraulic continuity" concept for purposes of water rights changes and resource management;
- Relinquishment
- Exempt wells
- Stock watering
- Wellhead inspections
- Stormwater

- Linkage of watershed plans to comprehensive land use plans
  - Shorelines
  - Avoid inefficient use of the resource by adjacent entities

The Committee decided that members who suggested each topic should provide written discussion as to how each of these topics relate to implementation of watershed plans. They should provide a brief written description of the statute or rule of interest; the citation to state code or rule number; and an explanation of how that statute or rule affects implementation of watershed plans. This information should be provided in a format suitable for circulation to the rest of the Committee. This will then provide the basis for discussion of statutes and rules at the next meeting.

There was continued discussion as to how the Committee can best manage this issue, given the complexity of water law. The general consensus seemed to be that we should focus on issues that are most directly related to implementation of watershed plans, rather than more "global" issues involving the state water code.

July 25, 2002 Meeting

Committee Suggestions for Amending State Law

The committee briefly reviewed the suggestions emailed out by Committee members. These included:

Item received from two Committee members jointly:

- Uncertainty as to the extent and validity of existing water rights, especially water rights associated with public water systems serving growing or developing communities; and the failure of the state to have and maintain an accurate, up-to-date record of the valid water rights currently in use.
- The inflexibility and inconsistent application of laws related to water rights changes, which frustrates efficient use and effective management of the resource.
- The lack of specific scientifically based guidance on instream flow setting and a consistent, scientifically-based interpretation and application of the "hydraulic continuity" concept for purposes of water rights changes and resource management.

Item received from another Committee member:

- Suggested additional language for RCW 90.03.380, dealing with the transfer of water rights from private exempt wells to public systems. Suggestion was that this applies to watershed plan implementation because it relates to local policy makers' ability to manage water quality and quantity within their watersheds. In one example given, a PUD is limited from providing service to a UGA because of a water right shortage that would be diminished by this statutory change. Committee member suggested that a number of the watershed plans from around the state will stress public systems over private wells and this statutory change will facilitate that policy.

  The proposed language for RCW 90.03.380 is:

(7) Not withstanding any other provisions of this section, Municipal water systems and water systems operated by Public Utility Districts shall be entitled to an increase of 2000 gallons per day in their appropriated groundwater right for each and every private exempt well, pursuant to RCW 90.44.050, used for domestic water supply, that is replaced by service from the municipal or PUD water supply. To qualify for this increase in water right, the following conditions must be met:

(a) The Municipal or PUD water system must have an existing valid water right for groundwater appropriation from which water is being purveyed for domestic water supply.

(b) The exempt well that is being replaced by municipal or PUD service must be decommissioned within 90 days of commencement of the public water service.

(c) The municipal or PUD water system must be in compliance with applicable water system design and operating requirements.

Most of the Committee's discussion centered on the latter suggestion that municipal water systems that take on customers formerly served by exempt wells should be able to get an incremental increase in their water rights.

Other discussion points:

- Handle state law in "layers." First, explore whether existing state law is sufficient to allow for implementation of watershed plans. Second, send signal that state water law is "broken" in terms of managing water.
- Could pilot projects be set up, to experiment with code changes in selected areas of the state? Avoids need for a comprehensive overhaul of the water code.
- Idea of a "watershed code." Special provisions and flexibility for managing water, in basins that have adopted watershed plans.

August 29, 2002 Meeting

In its discussion of key priorities for developing the Committee Report, the Committee did not identify state statutes and rules as a priority. Instead, funding issues and coordination and oversight during the implementation process were identified as priorities for further action by the Committee.

September 26, 2002 Meeting

At this meeting, the Committee's recommendations on a range of topics were discussed. It was determined that the discussion of State Law held through the course of the Committee's work would be placed in an Appendix to the report. While some interesting ideas have been raised, this has not turned out to be a central focus of the Committee's work.

Appendix D
Details about Representative Projects and Programs

The following are descriptions of the representative projects and programs found in Table 2-2, including the assumptions made for each cost calculation. All costs were adjusted to represent 2002 dollars.

Conservation Programs

- Municipal and industrial

  The City of Bremerton employs 1/3rd full time equivalent (FTE) to implement four programs. The City of Tacoma employs one and a half FTE and implements approximately 10 programs and actively participates in local, regional, state, and interstate conservation committees and workgroups.

  Assumptions Fifteen small programs (the size of Bremerton's program) and four large programs (the size of Tacoma's program) will be implemented throughout the state.

- Irrigation districts

  Irrigation districts in the Yakima River Basin Watershed proposed water use efficiency projects and associated costs as documented in the YRBWEP's technical memorandum titled "Water Use Efficiency in Agriculture". The median cost for these projects is $18 million.

  Assumptions The Yakima River Basin represents a "large" project. Smaller projects assumed to be two-thirds of the scope and cost. On going costs assumed to be 5% of the total capital costs.

- On-Farm

  Conversion of a gravity irrigation system to a pressurized irrigation system is the primary "on-farm" conservation project considered.

  Assumptions The industry standard cost per acre for this conversion is $1,000. 150 such projects would be implemented. 75 would convert 250 acres and 75 would convert 1,000 acres. On-going costs estimated at 15% of capital costs due to power costs for pumping and system maintenance.

Management and Transfers

- Voluntary transfers of water rights—sales

  In 2001, the Department of Ecology purchased water rights in the Walla Walla basin at the approximate costs and volume specified in the "large" column of Table 3-1A. The "small" column represents projects 10 times smaller than the "large" project.

Assumptions Water purchased at $600 per acre feet. There are 60 sales total over the 10 year period. No on-going costs assumed.

- Voluntary transfers of water rights—leases

  Assumptions Using the cost of the Walla Walla water rights sales, it is estimated also that leased water rights are generally $1/10^{th}$ of the cost to purchase water rights. It is estimated that each lease terminates within one year and there are only 60 sales total over the 10 year period. No on-going annual costs assumed.

- Adjudication of basin

  Assumptions The adjudication process in the Yakima River Basin costs an average of $1 million per year. 2 other adjudications will also cost this much and last 10 years.

- Watermaster or similar

  A watermaster will enforce water rights and identify rights subject to relinquishment. Currently, there exist only about six watermasters throughout the state.

  Assumptions Watershed plans to recommend hiring three part time watermasters and five full time water masters in a total of 8 WRIA's. Capital costs include a vehicle ($15,000) and office supplies ($5,000). Wages and benefits amount to $50,000 per year with $5,000 in on-going costs to maintain the program.

- Replace private wells with public system connections

  According to the previous manager at Skagit County PUD, the PUD replaced about 100 miles of pipeline per year and represents a feasible amount of pipe for a utility to install. Due to the Growth Management Act, municipalities may not extend water service to areas outside their growth boundary, which is where many exempt wells are found. PUD's are exempt from this rule. Another factor which diminishes the effectiveness of this action of replacing private wells is that homeowners will bear the brunt of the cost. It is unlikely many homeowners will be interested in replacement unless the cost is less than the cost to maintain and repair their wells.

  Assumptions Replacement to occur in rural areas with one connection every ¼ mile. 10 utilities will install 100 miles of pipe over the 10 year period. Capital costs include pipe installation costs at industry standard $8/inch diameter/foot. Each connection costs $1,158 (City of Cheney SDC). On-going costs at $288 per connection for the utility (City of Cheney estimate). Does not include any costs to upgrade the water system, such as new capacity at treatment plant.

- Restrict new well depth to second unit aquifer or less

  Cost of drilling set to industry standard cost estimate.

  Assumptions Each year at each of the 10 participating utilities, 150 new residential wells drilled 50 feet deeper to reach second aquifer at $160 per foot to drill.

- Alter operations of existing storage facilities

  Three dams on the Skagit River owned by Seattle City Light monitors the health of the anadromous fish population down river and adjust water flow accordingly.

  Assumptions 10 similar projects will be recommended by watershed plans throughout the state.

- Construct and operate reclamation and reuse facilities

  Projects at Ephrata, Yelm, and Sequim average 1 mgd capacity and cost an average of $8.8 million. These represent a "small" project. A "large" project is one which is ten times the size and cost.

  Assumptions Watershed plans will recommend that 5 municipalities each will construct and operate 1 mgd facility and 3 will construct and operate a 10mgd facility each. On-going costs based on estimated O & M costs for the City of Bremerton's feasibility which was never constructed.

- New well construction

  Well drilling costs vary significantly, so an industry standard cost was used.

  Assumptions Calculation does not include the cost to purchase land. On-going costs assumed to be 15% of capital costs.

- New stream diversions

  Lake Kachess was augmented with new stream flow to increase Kachess reservoir capacity.

  Assumptions Nominal on going costs.

- New or upgraded surface storage (off channel)

  Judy Reservoir capacity was increased by 1 MG by increasing the heights of the front and back earthen dams by 10 feet.

  Wymer Reservoir is a proposed new storage project in a side canyon of the Yakima River. It would involve pumping water from the river into the reservoir during high flow periods. The reservoir size is 142,000 acre feet.

- Aquifer storage recharge

  The City of Walla Walla is currently obtaining water rights in order to construct two wells, both capable of producing up to 4,900 gpm.

  Assumptions Costs include pilot well costs and process to obtain water rights. On-going costs estimated at 10% of capital costs due to high power costs.

- New pipelines or interties

  The Joint Water Commission is located in west metro Portland, Oregon and constructed a 42" line approximately 6.5 miles in length.

Assumptions Costs include land purchases and construction of pipe. 10 similar projects will occur in Washington.

Water Quality

- Assist private industries improve wastewater discharge –

  A "small" project, as defined for this cost estimation, involves providing assistance to upgrade industries water treatment plants or operations to reduce wastewater discharge. A "large" project involves assisting an industry in replacing an existing treatment facility with a new one. There is a wide range of industrial facilities in Washington requiring wastewater treatment for various chemical and physical parameters and treating various quantities. All of these issues affect the cost of a new treatment plant or upgrade. A new wastewater treatment facility for a large industry can be as much as $20,000,000 (based on information provided by Water Environment Federation - WEF). Small upgrades could be highly variable in cost. A relatively small improvement could cost as low as $25,000; while other improvements could be much higher.

- Improve municipal wastewater discharge quality –

  This action will improve water quality by upgrading or replacing municipal wastewater treatment plants. The cost associated with replacing aging equipment and structures to the City of Enumclaw's wastewater treatment plant was used for a "small" project example. The "large" project example used in this table is the construction of a new wastewater treatment plant for the City of Centralia.

- Increase inspections of dairies and enforcement of regulations –

  The project costs for this action are based on the Department of Ecology's current dairy inspection program which involves water quality monitoring, enforcement and dairy assistance. Ecology staff estimated the total annual and ongoing costs of one full time dairy inspector. The "small" program increases the number of current dairy inspectors by 3 FTEs statewide and a "large" program would increase the number of current dairy inspectors by 6 FTEs statewide.

- Monitor, assist and enforce farm practices –

  The costs developed for this action were based on the Sunnyside Irrigation District water quality monitoring and enforcement program, which requires 2 FTEs, and a water quality lab. Water quality is tested at farm discharge or runoff locations and property owners are assisted to help bring the farm into compliance. It is assumed that a "large" program would carry out similar activities to a "small" program but require 2 additional FTEs totaling 4 FTEs.

- Capital projects –

  There are a wide range of capital projects that could be constructed to improve water quality. The small project example used in this table is the tight lining of a ditch and construction of a re-regulating reservoir to improve water quality in the Dungeness River. The "large" project

example involves abandoning 13 miles of logging roads and upgrading and adding drainage structures along nine miles of logging roads to reduce sedimentation in the North Fork Nooksack.

- Public Education Program –

  The Bellingham Stream Management and Education Project was used in this table as an example of a community level program which assisted in comprehensive watershed planning, project implementation, and educational programs to control nonpoint pollution in two urban watersheds. The costs for a large or county level education program were assumed to be twice as much as a small program.

Appendix E
Statewide Extrapolation of Project Costs

Appendix E
Statewide Extrapolation of Project Costs

The following table presents a preliminary statewide extrapolation of costs for a range of activity categories identified by watershed planning units. The extrapolation covers a 10 year period. Elements of this table are also presented in Section 2 of this report as Table 2-2. The Committee wishes to direct attention to Section 2 for a detailed discussion of the ramifications of these estimates.

As stated in Section 2, though this table attempts to estimate the costs to implement recommendations found in watershed plans, no watershed plans have yet been finalized or approved in Washington State. Therefore, the Committee wishes to emphasize that the table below is highly dependent on assumptions:

- The programs and projects found in the table below are illustrative of potential actions in watershed plans, but do not represent actual actions listed in watershed plans, since these plans are not available at this time;
- The table does not include those more unique programs or projects which watershed planning units may recommend for implementation;
- The numbers of programs and projects likely found throughout the state are assumptions for illustrative purposes, and the total cost is highly dependent on these assumptions;
- The magnitude of programs and projects are based on the magnitude of the representative program or project, and
- The capital and on-going costs for each program or project are based on the cost of the representative program or project if data existed or estimated if data was not available.
- *A change in any one of these parameters could profoundly affect the final cost of any category of activity (i.e. individual row in the table); as well as the total shown at the bottom.*

Given the caveats mentioned above and in Section 2 of this report, this data presented in the table below should not be distributed independently of this report. Estimates of the financial effects of watershed plans should be considered provisional and illustrative, until watershed plans are developed and actual programs and projects are identified and defined. It is likely this information will be greatly improved by the end of 2004, when a number of plans have been completed and approved.

Table E-1A
Statewide Program and Project Cost Estimation
Phase 4 Watershed Plan Implementation Committee
Water Quantity

Action Category	Basis for Cost	Statewide Number of Projects/Programs		Magnitude of Each Project/Program		Costs per Individual Project/Program				Statewide 10 Year Total
						Capital Costs		Annual On-Going		
		Small	*Large*	*Small*	*Large*	*Small*	*Large*	*Small*	*Large*	
Conservation Programs (Municipal & Industrial)	City of Bremerton (small), City of Tacoma (large)	15	4	City of Bremerton	City of Tacoma	$2,500	$5,000	$26,500	$395,000	**$19,832,500**
Conservation Programs (Irrigation District)	Yakima River Basin Water Enhancement Projects	15	15	1/3 of large	Median of Yakima River basin irrigation districts projects	$6,000,000	$18,000,000	$300,000	$900,000	**$540,000,000**
Conservation Programs (On-Farm)	Industry standard estimate to convert from gravity to pressure	75	75	250 acres	1000 acres	$250,000	$1,000,000	$37,500	$150,000	**$234,375,000**
Voluntary Transfers of Water Rights--*Sales*[1]	Walla Walla Basin water rights purchase	50	10	100 a.f.	1,000 a.f.	$60,000	$600,000	none	none	**$9,000,000**
Voluntary Transfers of Water Rights--Leases[2]	Hypothetical Walla Walla Basin water rights lease	50	10	100 a.f.	1,000 a.f.	$6,000	$60,000	none	none	**$900,000**
Adjudication of basin	Yakima River basin adjudication	1	1	10 years	10 years	nominal	nominal	$1,000,000	$1,000,000	**$20,000,000**
Watermaster or similar	Current watermaster data	3	5	0.5 FTE	1 FTE	$20,000	$20,000	$30,000	$55,000	**$3,810,000**
Replace private wells with public system connections	Skagit County Public Utility District	5	5	100 miles of pipeline	100 miles of pipeline	$9,606,000	$9,606,000	$ 115,200	$115,200	**$107,580,000**

[1] Includes transfers to State of Washington Trust Water Rights program. Also includes transfers among water users.

Table E-1A (cont)
Statewide Program and Project Cost Estimation
Phase 4 Watershed Plan Implementation Committee
Water Quantity

Action Category	Basis for Cost	Statewide Number of Projects/Programs		Magnitude of Each Project/Program		Costs per Individual Project/Program				Statewide 10 Year Total
						Capital Costs		Annual On-Going		
		Small	*Large*	*Small*	*Large*	*Small*	*Large*	*Small*	*Large*	
Restrict well depth to second aquifer or lower	Industry standard estimate of well drilling costs.	5	5	Increase depth 50 feet for 150 new wells per utility	Increase depth 50 feet for 150 new wells per utility	$12,000,000	$12,000,000	nominal	nominal	**$120,000,000**
Alter operations of existing storage facilities	Seattle City Light's Skagit River Project	5	5	3 dams	3 dams	nominal	nominal	$220,000,000	$220,000,000	**$2,200,000,000**
Construct and operate reclamation and reuse facilities	Average cost of Ephrata, Yelm, and Sequim projects	5	3	1 mgd production	10 mgd production	$8,800,000	$88,000,000	$200,000	$2,000,000	**$378,000,000**
New well construction	Industry standard estimate of well drilling costs.	30	30	Shallow aquifer; well sited near other wells	Deep aquifer; well siting in a new location	$46,000	$106,000	$7,500	$7,500	**$9,060,000**
New stream diversions	Lake Kachess Augmentation	10	10	Divert 2 streams to augment Kachess reservoir	Divert 2 streams to augment Kachess reservoir	$12,200,000	$12,200,000	$122,000	$122,000	**$268,400,000**
New or upgraded surface storage (off channel)	Judy Reservoir raising; Wymer Reservoir (new)	8	2	Raise dam 10 feet.	Construct new reservoir in side valley	$10,000,000	$375,000,000	$100,000	$3,750,000	**$913,000,000**
Aquifer Storage Recharge	City of Walla Walla	10	10	2 wells to produce 4,900 gpm	2 wells to produce 4,900 gpm	$1,800,000	$1,800,000	$180,000	$180,000	**$90,000,000**

Table E-1A (cont)
Statewide Program and Project Cost Estimation
Phase 4 Watershed Plan Implementation Committee
Water Quantity

Action Category	Basis for Cost	Statewide Number of Projects/Programs		Magnitude of Each Project/Program		Costs per Individual Project/Program				Statewide 10 Year Total
						Capital Costs		Annual On-Going		
		Small	*Large*	*Small*	*Large*	*Small*	*Large*	*Small*	*Large*	
New pipelines or interties	Joint Water Commission South Transmission Line	5	5	6.5 miles of 42 in. pipeline constructed	6.5 miles of 42 in. pipeline constructed	$5,473,680	$5,473,680	$54,737	$54,737	**$60,210,480**
Water Quantity Total	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	***$4,974,168,000***

Assumptions:
For examples where O&M costs are not available it was estimated to be 1 percent of the capital cost.
Where annual ongoing costs are not included they are considered to be nominal

Table E-1B
Statewide Program and Project Cost Estimation
Phase 4 Watershed Plan Implementation Committee
Water Quality

Action Category	Basis for Cost	Statewide Number of Projects/Programs		Magnitude of Each Project/Program		Costs per Individual Project/Program				Statewide 10 Year Total
						Capital Costs		Annual On-Going		
		Small	*Large*	*Small*	*Large*	*Small*	*Large*	*Small*	*Large*	
Assist private industries improve wastewater discharge	Treatment facility upgrade (small) New treatment facility (large)	15	4	Industrial upgrade	Replace industrial WWTP	$25,000	$20,000,000	$-	$200,000	**$88,375,000**
Improve municipal wastewater discharge quality	Enumclaw WWTP Improvements (small) Centralia WWTP (large)	60	5	Municipal upgrade	Replace municipal WWTP	$135,000	$27,000,000	$ -	$270,000	**$156,600,000**
Increase inspections of dairies and enforcement of regulations	Ecology's current dairy inspection program	1	1	Increase of 3 Inspectors statewide	Increase of 6 inspectors statewide	$30,000	$60,000	$196,000	$393,000	**$5,980,000**
Monitor assist and enforce farm practices	Sunnyside Irrigation Dist. monitoring and enforcement program	10	10	2 FTEs	4 FTEs	$25,000	$100,000	$50,000	$150,000	**$ 21,250,000**
Capital projects	Dungeness tight-lining ditch and re-regulating reservoir (small) North Fork Nooksack sediment reduction (large)	30	10	small scale project	large scale project	$250,000	$500,000	$ -	$ -	**$12,500,000**

Table E-1B (cont)
Statewide Program and Project Cost Estimation
Phase 4 Watershed Plan Implementation Committee
Water Quality

Action Category	Basis for Cost	Statewide Number of Projects/Programs		Magnitude of Each Project/Program		Costs per Individual Project/Program				Statewide 10 Year Total
						Capital Costs		Annual On-Going		
		Small	*Large*	*Small*	*Large*	*Small*	*Large*	*Small*	*Large*	
Public Education Program	Bellingham Stream Management and Education Project	25	10	Community level program	County level program	$10,000	$20,000	$157,000	$314,000	**$71,100,000**
Water Quality Total	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	***$355,805,000***

Assumptions:
For examples where O&M costs are not available it was estimated to be 1 percent of the capital cost.
Where annual ongoing costs are not included they are considered to be nominal

Table E-1C
Statewide Program and Project Cost Estimation
Phase 4 Watershed Plan Implementation Committee
Habitat

Action Category	Basis for Cost	Statewide Number of Projects/Programs		Magnitude of Each Project/Program		Costs per Individual Project/Program				Statewide 10 Year Total
						Capital Costs		Annual On-Going		
		Small	*Large*	*Small*	*Large*	*Small*	*Large*	*Small*	*Large*	
Modifications to Habitat	Projects requested to Salmon Recovery Funding Board in 2002			Fish passage improvements, barrier removal, culvert removal, etc.					$57,208,716	**$572,087,160**
Protect/restore floodplains to store water	Green River levee break (near Auburn)	15	15	2 breaks in existing levee	2 breaks in existing levee	$300,000	$300,000	nominal	nominal	**$9,000,000**
Habitat Total	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	***$581,087,000***

Assumptions:
For examples where O&M costs are not available it was estimated to be 1 percent of the capital cost.
Where annual ongoing costs are not included they are considered to be nominal

Table E-1D
Statewide Program and Project Cost Estimation
Phase 4 Watershed Plan Implementation Committee
Instream Flows

Action Category	Basis for Cost	Statewide Number of Projects/Programs		Magnitude of Each Project/Program		Costs per Individual Project/Program				Statewide 10 Year Total
						Capital Costs		Annual On-Going		
		Small	*Large*	*Small*	*Large*	*Small*	*Large*	*Small*	*Large*	
Rule-making by Ecology	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	**TBD**
Instream Flow Total			*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	*NA*	***TBD***
Total cost for three action categories (Water Quantity, Water Quality, and Habitat)										**$5,911,000,000**

Assumptions:
For examples where O&M costs are not available it was estimated to be 1 percent of the capital cost.
Where annual ongoing costs are not included they are considered to be nominal

Potential Funding Sources

Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
Federal					
Bonneville Power Administration/NW Power Planning Council	Grant	Fish and Wildlife Program	Columbia River mainstem and tributaries. Funding can support administrative capacity, technical studies and implementation projects. Tied to subbasin plans under development.	$34.6 M FY 2002	
Bureau of Land Management	Grant	Cost-Share Program	Restores, enhances, protects, and manages the habitat values on public lands. Significant natural resources such as wetlands and riparian areas are the focus. Assistance is provided through property exchanges, acquisitions, and direct cooperative restoration projects. Focuses on lands east of the Cascades.		10 to 12 projects annual for $50,000 to $75,000 each
Bureau of Reclamation	Technical Assistance	Construction Program	NA		
Bureau of Reclamation	Grant	Yakima River Basin Water Enhancement Program	NA		
Bureau of Reclamation	Technical Assistance	General Investigations Program	Assistance with planning of water resource projects; provide technical assistance for planning and implementing alternate water supply/storage facilities, and water conservation programs.		
Bureau of Reclamation	Grant/ Technical Assistance	Native American Program	Assistance Native Americans in the development and management of water resources. Assistance provided: Grants, direct payments, studies, monitoring, technical/engineering support, research, and education. Cost share or 100 percent project funding by the Bureau		
Bureau of Reclamation	In-kind Technical Assistance	Off-site Mitigation Program	Applies to 16 Columbia River subbasins, linked to subbasin plans. Implementation and construction Bureau of Reclamation may receive authority to provide funding, in addition to technical assistance.		
Bureau of Reclamation	Technical Assistance	Technical Assistance to States	For water management evaluations. Assistance eligible entities in their allocation of water resources, including maintenance of low-flow regimes and user needs. Eligible projects: Engineering analysis, one-on-one information, planning guidance and site evaluation.		
Bureau of Reclamation	Grant/ Technical Assistance	Waste Water Reuse Program	To investigate and identify opportunities for reclamation and reuse of municipal, industrial, domestic, and agricultural wastewater-and naturally impaired groundwater and surface water-for the design and construction of demonstration and permanent facilities.		Varies

(1) Underlined programs from www.intrafunding.wa.gov. Non-underlined programs from Watershed Funding Workshops - WSDOE, et al.
(2) Information provided from sources cited above.

Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
Military Department	Grant	Flood Mitigation Assistance	To fund the development of comprehensive flood hazard reduction plans, provide technical assistance, and funding for projects that will flood damage reduction.	$17,000 for plans	20
National Park Service	Technical Assistance	Rivers, Trails, and Conservation Assistance Program	This program advocates and assists in community-based conservation efforts by providing assistance and facilitating grassroots efforts to conserve and protect valued places and resources.		
U.S. Army Corp of Engineers	Grant/ Technical Assistance	Levee Rehabilitation	Repair flood control works damaged by floods. Eligible projects: Rehabilitating and restoring flood control works damaged or destroyed by floods. Technical engineering assistance also available.		Varies
U.S. Army Corp of Engineers	Grant	Planning Assistance to States	Program designed for planning studies. Corps staff will perform the work, or the work will be contracted. Many different types of planning studies are possible, including but not limited to: environmental, economic, mapping, hydraulic, and geotechnical.		Varies
U.S. Army Corp of Engineers	Technical Assistance	Shore and Stream Bank Erosion	Help non-federal public interests develop methods to prevent erosion damage. Eligible projects: Technical and engineering assistance in developing structural and non-structural methods to prevent damage from shore and stream bank erosion.		None
U.S. Army Corps of Engineers	Grant	Basinwide Restoration New Starts General Investigation	Funding is provided for restoration through a 65:35 cost share program. Studies funded 50:50.		
U.S. Army Corps of Engineers	Grant	Beach Protection Studies	Restore and protect coastal shores from natural erosion. Eligible projects: studies which may lead to design and construction to restore and protect coastal shores from erosion caused by natural waves and currents.		$2 Million Max
U.S. Army Corps of Engineers	Grant	Channel Clearing for Flood Control	Flood Control. Eligible Projects: Studies that may lead to activities to remove accumulated snags and other debris; and for channel clearing and straightening in navigable streams and tributaries for flood control purposes. Section 208 Authority.		Varies
U.S. Army Corps of Engineers	Technical Assistance	Construction of Municipal and Industrial Water Supply Projects	Provide storage capacity at Corps facilities for water for municipal and industrial use. Eligible projects: Studies and design work to modify existing Corps reservoir or reallocate existing storage capacity. Contract management for construction and design.		

(1) Underlined programs from www.intrafunding.wa.gov. Non-underlined programs from Watershed Funding Workshops - WSDOE, et al.
(2) Information provided from sources cited above.

Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Army Corps of Engineers		Continuing Authorities Program (CAP)	At the request of local interests, Corps assistance in developing and implementing solutions to water resource problems. The CAP program is comprised of nine different types of projects. The six most commonly used are: Emergency Stream Bank and Shoreline Protection, Ecosystem Restoration Projects in Connection with Dredging, Small Flood Control Projects, Aquatic Ecosystem Restoration, Snagging and Clearing for Flood Control, and Project Modifications for Improvements to the Environment.		
U.S. Army Corps of Engineers	Grant	Ecosystem Restoration in the Civil Works Program	Ecosystem restoration at the basin scale. Resolve major problems in water related resources in a watershed, such as reconnecting streams to the main stem, restoring meandering in river courses, or resolving sediment loading problems.		Varies
U.S. Army Corps of Engineers	Grant	Flood Control Studies	Fund studies for flood damage prevention. Eligible projects: Studies which may lead to the design and construction of flood damage prevention measures, both structural and non-structural, including flood warning systems. Section 205 Authority .		Varies
U.S. Army Corps of Engineers	Technical Assistance	Flood Fighting	Assist local governments in flood fighting. Technical advice, direct assistance such as: contracting for equipment and materials, and providing supplies for flood fighting.		None
U.S. Army Corps of Engineers	Grant	Partners for Environmental Progress	Help local governments evaluate whether privatizing a particular water-related infrastructure is desirable and economically feasible Technical planning assistance.		Varies
U.S. Army Corps of Engineers	Grant	Section 1135 of the Water Resources Development Act of 1986	Grants and planning assistance are provided to a local sponsor to modify the structure or operation of a Corps project to restore fish and wildlife habitat. Section 1135 Authority.		Varies
U.S. Army Corps of Engineers	Grant	Small Navigation Projects	Grants for construction and maintenance of general navigation features. Eligible projects: Safe entrance channels protected by breakwaters or jetties if needed, anchorage basins, training basins and major access channels. Section 107 Authority.		Varies
U.S. Army Corps of Engineers	Grant	Flood Plain Management Services	Program objective is to reduce flood damages by informing people who live and work in the flood plain of its hazards and what actions they can take to reduce property damage and prevent loss of life caused by flooding.		$300,000 Max

(1) Underlined programs from www.intrafunding.wa.gov. Non-underlined programs from Watershed Funding Workshops - WSDOE, et al.
(2) Information provided from sources cited above.

Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Army Corps of Engineers	Grant	Stream Bank and Shoreline Protection Studies	Protect endangered public and private non-profit facilities. Eligible projects: Develop and construct emerging stream bank and shoreline protection projects to protect endangered highways; highway bridge approaches; public works facilities.		$500,000 Max
U.S. Department of Agriculture	Grant	National Research Initiative Competitive Grants Program	To support research on key problems of national and regional importance in biological, environmental, physical, and social sciences relevant to agriculture and food and the environment, including water resources assessment and protection.		
U.S. Department of Agriculture - Farm Service Agency	Grant	Conservation Reserve Enhancement Program	The Conservation Reserve Enhancement Program (CREP) provides annual rental payments and cost sharing assistance to landowners and operators to create forested riparian buffers across agricultural crop and marginal pasture lands.		
U.S. Department of Agriculture - Farm Service Agency	Grant/ Technical Assistance	Conservation Reserve Program	The Conservation Reserve Program (CRP) provides annual rental payments and cost sharing assistance to landowners and operators to take environmentally sensitive land out of production and plant it to a perennial cover under 10-15 year contracts.		
U.S. Department of Agriculture - Farm Service Agency	Grant	Farm Debt Cancellation-Conservation Easement Program	To protect marginal and sensitive lands under federal farm loan by buying easements for conservation, recreation, and wildlife purposes.		
U.S. Department of Agriculture - Farm Service Agency	Grant/ Technical Assistance	Water Quality Incentives Projects	To encourage agricultural producers to implement farming practices that reduce the amount of water pollution caused by their agricultural activities. Direct incentive payments of up to $25 per acre, technical/engineering support, and education.		$ 25 /an acre
U.S. Department of Agriculture - Forest Service and U.S. Bureau of Land Management		Watershed Restoration - Wyden Amendment	Collaborative arrangements with other federal, state, and local partners to accomplish high-priority restoration, protection, and enhancement work on public or private lands.		
U.S. Department of Agriculture - Natural Resources Conservation Service	Grant	Emergency Watershed Protection Program	Provides technical and financial assistance to preserve life and property threatened by excessive erosion and flooding from natural disasters such as floods, hurricanes, tornadoes, and wildfires. Provides up to 75 percent of funds needed to restore the natural function of a watershed.	permanent conservation easement	

(1) Underlined programs from www.intrafunding.wa.gov. Non-underlined programs from Watershed Funding Workshops - WSDOE, et al.
(2) Information provided from sources cited above.

Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Department of Agriculture - Natural Resources Conservation Service	Technical Assistance	River Basin Surveys and Investigations	To provide planning assistance to federal, state, and local agencies for the development of coordinated water and related land resources programs, with priority given to solving upstream flooding of rural communities, improving the water quality of water.		None
U.S. Department of Agriculture - Natural Resources Conservation Service	Grant	Wildlife Habitat Incentives Program	The Wildlife Habitat Incentives Program is a voluntary program for people who want to develop and improve wildlife habitat primarily on private lands. It provides both technical assistance and cost-share payments to help establish and improve fish and wildlife habitat.		
U.S. Department of Agriculture - Natural Resources Conservation Service and Economic Development Administration	Technical Assistance	Columbia-Pacific Resource Conservation and Economic Development District	This program helps community leaders develop rural economies by improving and conserving local natural resources. The Natural Resources Conservation Service provides a coordinator for the "authorized area" and assists in seeking outside funding.		
U.S. Department of Agriculture - Natural Resources Conservation Service and Farm Service Agency	Grant	Environmental Quality Incentive Program	Encourages commercial agricultural producers to solve point and nonpoint source pollution on farms and ranches. May include: establishment of permanent vegetative cover; sediment retention, erosion or water control structures; stream protection.		
U.S. Department of Agriculture - Natural Resources Conservation Service & Farm Service Agency	Grant	Wetlands Reserve Program	This program offers landowners the opportunity to receive payments for restoring and protecting wetlands on their property. Landowners are provided cost-share funds to restore wetlands. They are paid up to the agricultural value of the land.		Varies
U.S. Department of Agriculture - Rural Development	Loan	Community Facilities Guaranteed Loans	To construct, enlarge, or otherwise improve essential community facilities in rural areas with a population of less than 20,000. Cannot be used for combined sanitary and stormwater sewer facilities.		
U.S. Department of Agriculture - Rural Development	Grant/Loan	Community Facility Loan and Grant Program	Develop essential public facilities in rural areas and towns of less than 20,000 people. Construct, enlarge, or improve community facilities for health care, public safety, and public service.		Varies

(1) Underlined programs from www.intrafunding.wa.gov. Non-underlined programs from Watershed Funding Workshops - WSDOE, et al.
(2) Information provided from sources cited above.

Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Department of Agriculture - Rural Development	Grant	Emergency Community Water Assistance Grant Program	Provide emergency community water assistance, to obtain adequate quantities of water that meet the standards set by the Safe Drinking Water Act, for residents in rural areas that have experienced a significant decline in water quantity or quality.	Varies Year To Year	$500,000
U.S. Department of Agriculture - Rural Development	Grant	Solid Waste Management Grants	To reduce or eliminate pollution of water resources, and to improve planning and management of solid waste sites (landfills).		
U.S. Department of Agriculture - Rural Development	Loan	Guaranteed Water and Waste Disposal Loans	Guarantees for loans made by eligible lenders to borrowers in rural areas and towns for water and waste disposal facilities and other essential community facilities.	Year 2001 $1,254,000	
U.S. Department of Agriculture - Rural Development	Grant/Loan	Water & Waste Disposal Loans and Grants	Support water and waste disposal facilities in rural areas and towns of up to 10,000 people. Eligible projects: Construct, repair, improve, expand, or modify water, waste disposal, solid waste and storm drain facilities. Goal is to serve most needy rural communities.	Year 2001 $12,439,000	
U.S. Department of Commerce - Economic Development Administration		Public Works and Economic Development Program	To empower distressed communities in economic decline to revitalize, expand, and upgrade their physical infrastructure to attract new industry, encourage business expansion, diversify local economies, and generate or retain long-term private sector jobs and investment.		
U.S. Department of Commerce - Economic Development Administration	Technical Assistance	Public Works Construction	Construct facilities to attract new industry, encourage business expansion, diversify the economy, and generate long-term private sector jobs. Eligible projects: Water and sewer facilities primarily serving industry and commerce.		
U.S. Department of General Administration	Technical Assistance	NCAT/HUD Multifamily Housing Project	Energy and water usage technical assistance targeting multifamily buildings. A wide range of consultative services is provided.		
U.S. Environmental Protection Agency	Grant	Tribal Pollution Grant Control Program	To assist Indian tribes in carrying out effective water pollution control programs. Grants may be used to fund a wide range of water quality activities including: water quality standards, ambient monitoring, development of total maximum daily loads, issuing permits, ground water and wetland protection, nonpoint source control activities, and unified watershed assessments.		

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Environmental Protection Agency	Grant	Clean Water Act Section 104(b)(3) Water Quality Cooperative Agreements/Grants	Grants to water pollution control agencies, interstate agencies, municipalities, tribes and non-profits to focus on innovative demonstration and special projects. Efforts eligible are research, investigations, experiments, training, environmental technology demonstrations, surveys, and studies related to the causes, effects, extent and prevention of water pollution.		
U.S. Environmental Protection Agency	Grant	Environmental Monitoring for Public Access and Community Tracking (EMPACT) Grants	Metropolitan Statistical Areas (MSAs) and federally recognized Indian tribes are eligible. The goal is to provide public access to clearly-communicated, time-relevant, useful, and accurate environmental monitoring data in an ongoing and sustainable manner. Projects may address clean air, clean water, lead assessment, overall ecosystem quality, etc. Cost-share of at least 10% is required.	$4 million Year 2001	up to $400,000 over the life of the project
U.S. Environmental Protection Agency	Grant	Watershed Assistance Grants	Primary purpose is to support the growth and sustainability (i.e., organizational capacity) of local watershed partnerships. Watershed Partnership is defined as an inclusive, enduring, diverse, community-based group organized to identify and resolve watershed problems and issues.		$1,300 to $30,000
U.S. Environmental Protection Agency	Grant/Cost-Sharing	Wetland Program Development Grants	Goal is to increase the quantity and quality of wetlands in the U.S. States, tribes, and local governments can undertake a wide range of activities to build their comprehensive wetland program. Recipients must provide a minimum of 25% of each award's total project costs.		
U.S. Environmental Protection Agency	Grant	Drinking Water Infrastructure - Tribal Set-Asides	NA		
U.S. Environmental Protection Agency	Grant	Environmental Education Grants	Stimulates environmental education by supporting projects to design, demonstrate, or disseminate practices, methods, or techniques related to environmental education. Eligible projects: curricula, field methods, practices and techniques		$25,000 Max
U.S. Environmental Protection Agency	Grant	General Assistance Program for Tribes	Provides grants to build tribal capacity to administer environmental regulatory programs or to provide technical assistance to address environmental issues on tribal lands.		$50,000 to $75,000
U.S. Environmental Protection Agency	Grant	Indian General Assistance Program Grants	To provide general assistance grants and technical assistance to Indian tribal governments and intertribal consortia to develop and build capacity to administer regulatory and multimedia environmental programs on Indian lands.		

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Environmental Protection Agency	Grant	Indian Set-Aside Wastewater Treatment Grant Program	To assist Indian tribes and Alaska Native American villages in planning, designing, and building wastewater treatment systems. Assistance provided: Grants and technical/engineering support. Program pays up to 100 percent of costs. No matching funds are required.		
U.S. Environmental Protection Agency	Grant	National Estuary Program	To foster community-based collaborative environmental planning among estuary stakeholders in order to develop comprehensive conservation management plans (CCMP) for estuaries of national significance. Grants are issued only to the lead state or local agency.		
U.S. Environmental Protection Agency	Grant	Nonpoint Source Implementation Grants	To assist states in implementing agency-approved section 319 statewide nonpoint source management programs. Assistance provided: Grants. A nonfederal match of at least 40 percent of project or program costs is required, except for tribes.		
U.S. Environmental Protection Agency	Grant	Small Community Wastewater Technical Assistance and Outreach Program	To provide on-site assistance to small communities with wastewater treatment facility operating problems. Eligible recipients and eligibility requirements: The University of West Virginia and wastewater treatment assistance providers.		
U.S. Environmental Protection Agency	Grant	State/Tribal Wetland Planning Grants	Assists states and tribes to develop watershed based comprehensive land use plans and technical tools that can be applied to integrate protection and restoration of wetlands and other water resources.		$50,000 to $100,000
U.S. Environmental Protection Agency	Grant	Water Quality Grants	To stimulate the creation of unique and new approaches to meeting stormwater, combined sewer outflows, sludge, and pretreatment requirements as well as enhancing state capabilities.		
U.S. Environmental Protection Agency	Grant	Wetland Protection, Restoration, and Stewardship Discretionary Funding	This program provides support for studies and activities related to implementation of Section 404 of the Clean Water Act for both wetlands and sediment management. Projects can support regulatory, planning, restoration or outreach issues.		$5,000 to $20,000
U.S. Environmental Protection Agency	Grant	Wetlands Protection - State Development Grants	To encourage the development of state/tribal wetland protection programs or to enhance those that already exist. Limitations: Funds must be used for development or refinement of wetland programs.		

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Environmental Protection Agency, Region X	Grant	Pollution Prevention Incentives Grants	Establish and expand state-based pollution prevention (P2) programs by building tribal P2 capacities or testing innovative P2 approaches and methodologies. Eligible projects: Develop multi-media P2 as an environmental management priority.		Varies
U.S. Fish and Wildlife		Interjurisdictional Fisheries Act of 2986	To assist states in managing interjurisdictional fisheries resources. Past projects include: fisheries monitoring, assessment and evaluation, extension services, enforcement, construction, collection, compilation and evaluation of fisheries statistics, aquaculture experiments, etc.		average $100,000
U.S. Fish and Wildlife	Technical Assistance	Habitat Conservation - U.S. Fish and Wildlife Service Coastal Program	The mission of the Coastal Program is to conserve coastal ecosystems for the benefit of fish, wildlife, and people. It accomplishes this through cooperative partnerships that identify, restore, and protect habitat in priority coastal areas.		
U.S. Fish and Wildlife Service	Grant	Chehalis Fisheries Restoration Program	Restoration of Chehalis River salmon. Any proposal that would restore salmon populations is considered, including habitat restoration, environmental monitoring, education and outreach, and stock enhancement.	None at this time	$1,000 to $60,000
U.S. Fish and Wildlife Service	Technical Assistance	Fish and Wildlife Management Assistance	Provide technical information, advice, and assistance to other federal agencies, other nations, states, and Native Americans on the conservation and management of fish and wildlife resources. State agencies, tribes, and federal agencies are eligible on a cost recoverable basis.		
U.S. Fish and Wildlife Service	Grant	Sport Fish Restoration	Participation limited to State fish and wildlife agencies to restore and manage sport fish populations. Funded projects include: fish habitat improvement, research of fishery problems, surveys and inventories of fish populations and habitats, provision for public use of fishery resources, lake and stream rehabilitation, acquisition of boating access, maintenance of wetland and freshwater acres for fishing activity, etc.	Year 2000 $240 million	average $4,800,000

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Fish and Wildlife Service	Grant	Wildlife Restoration	To support projects to: (10 restore or manage wildlife populations and the provision of public use of these resources, and (2) provide facilities and services for conducting a hunter safety program. Participation limited to State fish and wildlife agencies. Projects include: wildlife habitat improvement, research on wildlife problems, surveys and inventories of wildlife populations and habitats, provision for public use of wildlife resources, hunter education programs, purchase of wetland areas to benefit waterfowl, etc.	Year 2001 $195 million	average $2,750,000
U.S. Fish and Wildlife Service	Technical Assistance	Habitat Conservation - Partners for Fish and Wildlife Program	To pursue opportunities and cooperative efforts with other government agencies and private partnerships to protect, restore, and enhance fish and wildlife habitats; provide technical assistance to the private sector to maximize wildlife conservation.		
U.S. Fish and Wildlife Service	Grant	National Coastal Wetlands Conservation Grant Program	To facilitate the restoration, enhancement, and acquisition of coastal wetlands. Assistance provided: Competitive matching grants.		$10,000 to $100,000
U.S. Fish and Wildlife Service	Grant	National Wildlife Refuge Challenge Cost Share Program	Funds for USFWS Refuge properties and limited financial and technical assistance to private landowners for enhancing or restoring degraded or converted wetlands, riparian areas or other critical habitats.	$25,000	
U.S. Fish and Wildlife Service	Grant/Technical Assistance	Partners for Fish and Wildlife	This program focuses on re-establishing historic native communities. It offers technical and financial assistance to private landowners who wish to restore degraded or converted wetlands, riparian, stream and other critical habitats.		$10,000
U.S. Fish and Wildlife Service	Grant	Partnerships for Wildlife	This program supports projects that conserve a diversity of fish and wildlife species, and that provide opportunity for non-consumptive public use and enjoyment of these species. Eligible activities include: scientific resource management.		
U.S. Fish and Wildlife Service	Grant	Puget Sound Program	This bay/estuary program is designed to protect, restore and enhance fish and wildlife resources in the Puget Sound Basin. Activities are meant to complement and implement the Puget Sound Water Quality Management Plan.		Varies
U.S. Fish and Wildlife Service	Grant	Refuges and Wildlife - North American Waterfowl Management Plan	To support a strategy for cooperative public/private wetland habitat conservation that will reverse the decline in waterfowl and other wetland wildlife species in the United States, Canada, and Mexico. Assistance provided: Grants.		

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Fish and Wildlife Service	Grant	Washington State Ecosystems Conservation Program	The primary emphasis of this program is to restore and enhance previously impacted wetlands, riparian and upland habitats on private lands. Restoring lost wetlands and stream channels by returning disturbed or altered areas to a natural condition is a priority.		$500 to $26,000
U.S. Fish and Wildlife Service	Grant/Technical Assistance	Woods	Supports community based restoration of watershed processes and functions. Provides local employment to dislocated natural resources industry workers in communities affected by the downturn in their natural resource industries.	Approx $600,000	Max $300,000
U.S. Fish and Wildlife Service Joint Venture	Grant	North American Wetlands Conservation Grant	Restore waterfowl populations to 1970-1979 levels by the year 2000. Provides grants to projects to acquire, restore, enhance, and/or manage wetland habitats, particularly those most important for migratory birds.		$50,000 to $100,000
U.S. Fish and Wildlife Service/ Pacific Coast Joint Venture	Grant	National Coastal Wetlands Conservation Grant Program	Acquisition of critical wetland habitat in coastal areas. Focus - acquiring, restoring, enhancing and managing the nation's most pristine and threatened coastal wetlands.		Varies
U.S. Department of Agriculture - Natural Resources Conservation Service	Technical Assistance	Watershed Protection and Flood Prevention Program	This program provides assistance in planning and implementing watershed projects for: flood prevention; water quality improvement; agricultural water management; water-based recreation; municipal and industrial water supplies; and fish and wildlife habitat.		Over $100,000
Bureau of Indian Affairs	Grant	Bureau of Indian Affairs	Funding is available to tribes within the range of the spotted owl for watershed analysis and/or watershed restoration (Jobs in the Woods). Restoration projects must be implemented in areas where watershed analysis has been completed.		Varies
U.S. Environmental Protection Agency	Grant	Water Pollution Control - State and Interstate Program Support	To assist states, territories, the District of Columbia, interstate agencies and qualified Indian tribes in establishing and maintaining adequate measures for prevention and control of surface water and groundwater pollution.		
National Science Foundation - Division of Environmental Biology	Grant	Water and Watersheds	This is a joint National Science Foundation/Environmental Protection Agency special awards competition to support interdisciplinary teams joining the physical, biological, and socioeconomic sciences and engineering in research on water quality.		

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
U.S. Department of Agriculture - Forest Service & Washington State Department of Natural Resources	Grant	Forest Stewardship & Stewardship Incentive Program	Technical and financial assistance to non-industrial forest owners for a variety of forest stewardship projects, including riparian, wetland and fisheries habitat enhancement.		$10,000 to $300,000
State					
Washington Interagency Committee on Outdoor Recreation	Grant	Boating Facilities Program	Funding for both shoreline and upland acquisition or development projects along fresh or saltwater are eligible, including launch ramps, transient moorage, and support facilities. Open to all non-federal governments.	Local- $1,423 State- $3,467	Varies
Washington Interagency Committee for Outdoor Recreation	Grant	Riparian Habitat Program	This pilot program provides matching grants for projects that protect habitat on privately owned land through less than fee simple acquisition methods. Projects must help implement a watershed plan and be identified in the plan or accomplish a cited objective.	$1,134	$500,000
Washington Interagency Committee for Outdoor Recreation	Grant/ Technical Assistance	Salmon Recovery Funding Board	The Salmon Recovery Funding Board (SRFB) created by the 1999 Legislature, is a ten-member board. Composed of five citizens appointed by the Governor and five state agency directors.		Varies
Washington Interagency Committee for Outdoor Recreation	Grant	Washington Wildlife and Recreation Program (WWRP)	Program funding supports acquisition and development of outdoor recreation and conservation lands. Eligible projects include important local and state parks, water access sites, trails, critical habitat, natural areas, and urban wildlife habitat.	Undetermined	Varies
Washington Military Department - Emergency Management Department	Grant	Hazard Mitigation Grant Program	Reduce the cost that the government incurs from natural disasters. Projects that reduce or eliminate future losses can be funded such as habitat restoration after a flood disaster; acquisition of property in the floodplain following a flood; seismic retrofit.		Varies
Washington State Department of Community Development	Grant	Community Development Block Grant General Purpose	Financial and technical assistance for infrastructure projects to benefit low and moderate-income persons. Eligible projects: water pollution control (domestic wastewater and stormwater), drinking water, housing, road, street and bridge projects.		$ 750,000 MAX
Washington State Department of Community Development	Grant/Loan	Community Economic Revitalization Board Rural Program	Assistance in financing growth-related infrastructure in designated timber and salmon-impacted areas. Sanitary and storm sewer, domestic and industrial water, access roads, bridges, railroad spurs, electricity, natural gas, general purpose industrial building.	$0	$500,000 Max

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
Washington State Department of Community Development - Public Works Board	Loan	Public Works Trust Fund Capital Facilities Planning Program	Provides low-interest loans to finance capital facilities plans (CFPs). Eligible projects: Bridges, roads, domestic water, sanitary and storm sewer, and solid waste/recycling systems. Prefer comprehensive plans (which include a CFP or multi-system CFP).	$250,000	$300,000
Washington State Department of Ecology	Grant	Aquatic Weeds Management Fund	Provide grants, technical assistance, and public education materials to reduce propagation of freshwater aquatic weeds and manage problems caused by weeds in Washington State. Eligible projects: Development of integrated aquatic vegetation management plan.	$300,000	Varies
Washington State Department of Ecology	Grant/Loan/Technical Assistance	Centennial Clean Water Fund	Projects which will prevent and control water pollution.	Depends on Current Legislation	$250,000 Max for activities up to $5 million
Washington State Department of Ecology	Grant	Coastal Protection Fund (CPF)	Designed to restore natural resources injured by oil spills in state waters. Habitat restoration (including wetlands) is often a component. The program can support direct clean-up, restoration, acquisition of conservation easements, leases, management agreements, etc., but the highest priority of the program is restoration and enhancement activities.	Annually over $100,000 available	NA
Washington State Department of Ecology	Grant	Coastal Zone Management Program	In Washington's fifteen coastal counties for improving coastal zone management. Including education and information, preservation, restoration, pollution prevention, scientific research/monitoring, public access, critical area shoreline planning.	$20,000	$19,000 to $29,000
Washington State Department of Ecology	Grant/Loan	Drought Emergency Water Supply	Agricultural and fisheries emergency projects to alleviate low water supply conditions in drought areas. Eligible projects: Measures to conserve water during drought or develop alternate water supplies. Example: pumpback to main canal from return flows.		Varies
Washington State Department of Ecology	Grant	Federal Clean Water Act - Section 319	Fund comprehensive prevention and control activities, which are watershed-based, for non-point source pollution. Implementation activities only. Examples: Non-point pollution; river restoration; implement agricultural and forest best management practices.		Varies
Washington State Department of Ecology	Grant	Flood Control Assistance Account Program	Develop Comprehensive Flood Control Management Plans and Flood Control Maintenance projects. Funds also available for emergency flood control maintenance work. Eligible projects: Measures to prevent or lessen damage from future floods.		Varies

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
Washington State Department of Ecology	Grant	Model Toxics Control Act	Provides financial and technical assistance to restore habitats and services in areas that have been damaged by releases of hazardous substances.		Not Established
Washington State Department of Ecology	Technical Assistance	Puget Sound Wetland Restoration Program	Restore wetlands that help solve ecological problems and meet community needs. The program identifies and evaluates hundreds of wetlands restoration sites at a time for watershed scale assessments.		
Washington State Department of Ecology	Grant/Loan	Referendum 38 Emergency Water Supply	Permanent repairs of agricultural water supply system when breaks occur during irrigation season. Eligible projects: Breaks must be sudden and create an emergency shortage of water threatening loss of property and/or public safety.		Varies
Washington State Department of Ecology	Grant	Remedial Action Grant Program	Help local governments investigate and clean up public sites contaminated by hazardous waste. Eligible projects: Remedial Investigation/ Feasibility Study (RI/FS); Remedial Design (RD); Interim Remedial Measures (IRM); Remedial Action (RA).		Varies
Washington State Department of Ecology	Grant	Safe Drinking Water (Hazardous Waste Sites)	Help local governments provide safe drinking water to areas where identified hazardous waste sites have contaminated drinking water. Eligible projects: Extend existing water systems into contaminated areas: drill for new water sources; treat water systems.		$80,000 Max
Washington State Department of Ecology	Grant	SEA Watersheds Program	NA		
Washington State Department of Ecology	Grant	Site Hazard Assessment (Hazardous Waste Sites)	Help health departments and districts investigate suspected hazardous waste sites. Eligible projects: Collecting hazardous substance release and site characterization data for use in Ecology's site ranking and cleanup priority-setting process.		Varies
Washington State Department of Ecology	Grant/Loan/ Technical Assistance	Toxic Clean-up Program	Grant program for the cleaning up of contaminated, publicly owned or acquired, properties. Clean-up must be conducted in accordance with the Model Toxics Control Act.		
Washington State Department of Ecology	Loan/Technical Assistance	Washington State Water Pollution Control Revolving Fund	This program helps local governments finance water quality projects by providing low interest loans to public entities. Project examples: wastewater treatment facilities, nonpoint source water pollution control, wetlands acquisition, estuarine management.	None	This is a Loan
Washington State Department of Ecology	Technical Assistance	Water Reclamation and Reuse - DOE	Promote and facilitate the use of reclaimed water to replace potable water in non-potable applications. Eligible projects: Technical assistance for project planning and regulatory approvals.		

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
Washington State Department of Fish and Wildlife	Grant	Regional Fisheries Enhancement Groups	Regional Fisheries Enhancement Groups receive funds from this program for salmon habitat restoration and enhancement projects. Fish enhancement projects that can receive funding include stream-side fencing, construction of off-channel rearing habitat.		$10,000 to $40,000
Washington State Department of Fish and Wildlife	Grant	Upland Wildlife Restoration Program	This program focuses on upland habitats and riparian areas in agricultural lands by establishing long-term agreements (10 or more years) with willing landowners. These agreements are for habitat improvement and increased public access on private lands		Varies
Washington State Department of Health	Technical Assistance	Public Water System Technical Assistance Program	Technical assistance available to help public drinking water quality and quantity problems.		
Washington State Department of Health	Technical Assistance	Water Reclamation and Reuse - DOH	Promote and facilitate the use of reclaimed water to replace potable water in non-potable applications. Eligible projects: Technical assistance for project planning and regulatory approvals.		
Washington State Department of Health/ Washington Public Works Board	Loan	Drinking Water State Revolving Fund	Low-interest loans intended to improve drinking water systems and protect public health. . Eligible projects: Address existing water system problems that may cause the system to exceed health standards as defined by the Safe Drinking Water Act (SDWA).		$100,000 to $3,000,000
Washington State Department of Natural Resources	Grant	Aquatic Lands Enhancement Account (ALEA)	Increase of public access (non-motorized, pedestrian-oriented public access to water, water-related recreation opportunities, and interpretive signs or displays of aquatic resources) and habitat improvement projects.	$4- $6 million	$10,000 to $1,000,000
Washington State Department of Natural Resources/ Fish and Wildlife	Grant	Jobs for the Environment Program	Restore watersheds; improve fish and wildlife habitat; promote watershed planning and local stewardship; and train/employ dislocated timber workers and fishers.		$300,000 Max
Washington State Department of Transportation	Grant	Fish Passage Barrier Habitat & Restoration Program	NA		
Washington State Office of Community Development	Grant	Community Development Block Grant Community Investment Fund	Fund top priority projects selected from Washington's Community Economic Revitalization Team (WA-CERT) pre-application or from federally-designated rural enterprise communities. Eligible projects: CDBG eligible activities, including water, wastewater.	$3,000	No Max

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
Washington State Office of Community Development	Grant	Community Development Block Grant Planning Only	Grants for planning. Must principally benefit low- and moderate-income persons. Eligible Projects: Comprehensive plans, infrastructure planning, feasibility studies and pre-engineering reports (not final design).	$300,000	$24,000 Max $40,000 Max for Multiple Jurisdictions
Washington State Office of Community Development	Grant/Loan	Community Economic Revitalization Board Traditional Program	Assistance in financing growth-related infrastructure in economically disadvantaged communities that will result in specific private development or expansions in manufacturing, industrial assembly/distribution, processing, or warehousing.		$100,000
Washington State Office of Community Development - Public Works Board	Loan/ Technical Assistance	Public Works Trust Fund Construction Loan Program	Revolving low interest (0.5%-2% depending on local match) loan fund to help local governments finance critical public works needs. Eligible projects: Repair, replace and improve bridges, roads, and systems for domestic water, sanitary and storm sewer.	$ 235 Million per Biennium	$10 Million Max per Biennium
Washington State Office of Community Development - Public Works Board	Loan/ Technical Assistance	Public Works Trust Fund Pre Construction Loan Program	Low interest loans for the pre-construction phase of infrastructure projects.		Max $1 Million per jurisdiction
Washington State University Cooperative Extension Energy Program	Grant	Resource Efficiency Management - Total Efficiency Network	To provide information, training and support necessary to save money and resources through efficient resource management at large public and private facilities. Eligible projects: Energy and Resource Efficiency Programs.		Equal to Fee Charged for Services
Local/Other					
King County Department of Natural Resources	Grant	Urban Reforestation and Habitat Restoration Grant	Grants are for urban reforestation or wildlife habitat restoration projects which focus on the sustainability of the larger ecosystem. Preference is for projects located in terrestrial habitats.		Varies
King County	Grant	Small Change for a Big Difference	$60,000 is available for projects that benefit surface water and wastewater resources in King County. Projects may include education and enhancement projects on streams, wetlands, lake rivers, marine waters, fish habitat, water quality water reuse.	$60,000	$5,000 Each
King County Department of Natural Resources	Grant	Watershed Action Grants	Projects that benefit surface water and wastewater resources in King County. Provides money for local education and enhancement projects involving streams, wetlands, lakes, rivers, marine waters, fish habitat, water quality, water reuse and biosolids.		

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Agency	Funding Type	Funding Name [1]	Description [2]	Funds Available	Typical Award
King County Department of Natural Resources	Grant/ Technical Assistance	Water Works, RCPG, NRSN Grants	Grants up to $50,000 are available for projects that protect or improve water quality, drainage and water-dependent habitat. Funding source varies according to geography and project emphasis. Projects must be located in King County or South Snohomish County.	$700,000	$35,000
Conservation Commission	Grant	Non-Point Water Quality Grants	Implement projects and practices to improve water quality. Examples: Work with farmers to reduce water use; control run-off to reduce sedimentation; improve fish habitat; improve water quality in shellfish areas.		$80,000 to $200,000
Evergreen Rural Water of Washington	Technical Assistance	Evergreen Rural Water of Washington Technical Assistance and Training	Provide technical assistance on wastewater and drinking water systems for small communities (under 10,000). Eligible projects: Technical assistance for: education; operations and maintenance; rate structures; conservation and leak detection.		
Nisqually River Basin Land Trust, Trustee	Technical Assistance	Nisqually Delta Mitigation Trust	To mitigate for development of Lone Star Northwest gravel shipping in Dupont. Acquiring property, or interest in property, on undeveloped natural resource lands such as habitat areas and wetlands in the Nisqually delta and river basin.		Varies
Puget Sound Water Quality Action Team	Grant	Public Involvement and Education Fund	Protect Puget Sound and raise awareness of water quality and marine resource protection. Eligible projects: Community-based water quality education and public involvement programs that raise awareness of water quality issues.	$400,000	$3,000 to 45,000

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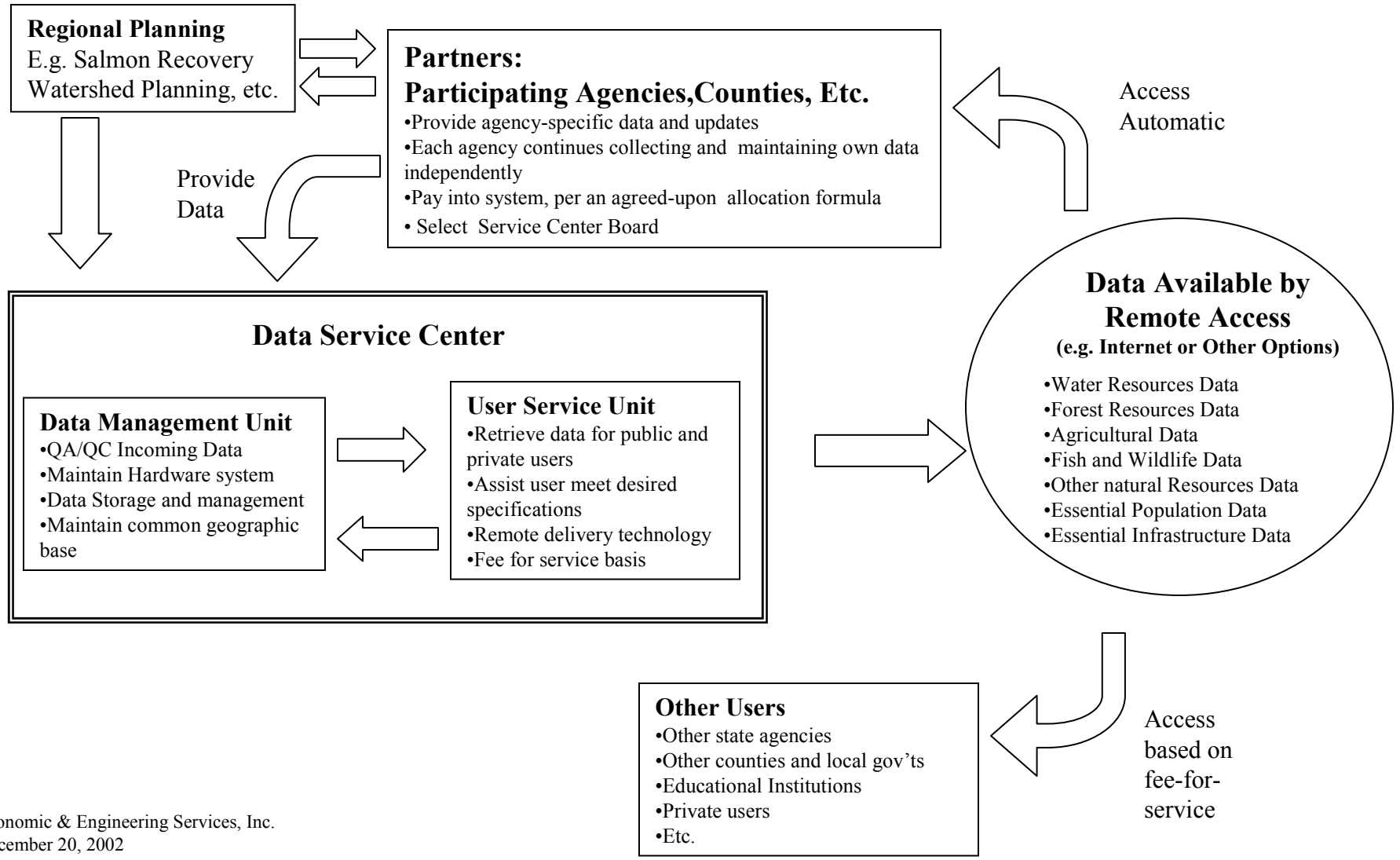
Conceptual Overview
Joint Local and State
Natural Resources Data Service Center
for Public and Private Users



Economic & Engineering Services, Inc.
December 20, 2002

Comments and Responses Report of Phase 4 Watershed Plan Implementation Committee	
Comment	**Response**
General note	*In report, add a statement that committee received a number of comments in workshop and in written form. These comments were discussed by committee and adjustments were made to report. Include this list of comments and responses as an Appendix to report.*
I. Legislators' Comments at Nov. 19 Workshop (paraphrased)	
Change existing laws so local governments and special districts can pool their financial resources to do watershed work. Alter limitations in law, to provide this flexibility.	Appears to refer to limitations on what a government or special district can spend its revenues on. Watersheds extend outside jurisdictional boundaries. Probably applies the most to special districts, and their authorities and use of funds within service areas. This issue also came up during Committee discussions. It is mentioned in report, but did not make the recommendations. Create a general recommendation to explore this further, but note that Committee did not research in detail.
Recommends using existing approaches to raise revenue, rather than new taxing districts.	No change to report. New taxing district is identified as a local option. Note that comment may signal lack of interest in pursuing the needed changes in state law.
Recognize legitimacy of watershed plans created outside the framework of 2514.	Add statement confirming this, in body and executive summary. Non-2514 processes should be characterized by "spirit" of 2514, including collaborative approach and effective representation of stakeholders; and breadth and depth of scope and substance. Where this is true, note that Committee's findings may also apply to these other efforts. Also explain that we did not examine these other watershed planning processes in detail.
Amend Interlocal Coordination Act to allow watershed-based coordination, funding and perhaps even payoff of bonds.	Identify this idea in report, and state that it was suggested in comments from a legislator. Note that this appears worthy of further follow-up, but Committee did not explore it in detail.
State should contribute funds for implementation.	Consistent with report. No change needed.
RCW 90.82 should be amended to allow new lead entity to form for implementaion.	Consistent with report. No change needed.
It would be a good idea to follow through on recommendation of reviewing existing state funding sources, to see how they can contribute to Plan implementation.	Consistent with report. No change needed.
State could periodically contribute funding for plan updates. E.g. every 10 years.	In discussion of plan updates, note that funding from state may be needed. Should be based on documentation of need, through application by local group. Leave as a general recommendation at this time, without going into details of how much or what procedures are needed.

Comments and Responses Report of Phase 4 Watershed Plan Implementation Committee (cont.)	
Comment	**Response**
Each watershed plan should define the financing program for implementation, before the plan is signed off on.	The Committee believes that potential sources of funding for specific actions should be considered as plans are developed. Actually obtaining commitments from funding sources would be ideal, but in many cases it appears this will be too challenging to get done up front. In many cases the completed watershed plan will serve as a basis for funding applications, so the report must be completed prior to obtaining funding. Also, funding sources and their requirements change from year to year, and carrying out the plan will likely be a multi-year effort.
Must guard against state agencies being the implementers of a watershed plan. For example, concerned about committee's recommendation on a "lead agency" for implementation. This moves away from local control.	Clarify discussion of implementation lead agency to make it clear it should be a *local* agency. E.g. a county, special district, etc.
Supports idea that Planning Units may continue into implementation phase. Make it stronger: they "shall" continue.	Committee has discussed at length. Recognizes that in some areas it makes sense for P.U. to continue; but in others may not make sense. It would be best if the local groups themselves determine what type of organizational structure should be carried forward to continue the locally based collaborative framework. No change to report.
Recognize progress also being made in planning outside the 2514. Should focus on goals, not specific process of 2514.	Other commenters also made this point. See discussion above.
Should prioritize existing sources of funding, rather than developing new sources. (comment addresses State funding sources).	Committee discussed this topic at recent meetings, and in conference call on Oct. 24. There is broad agreement that existing funds should be used where possible. There is also a recognition that existing funds should not be "raided" to take away from other needs. There is less agreement over whether new revenue sources should be enacted, but many recognize that this may be difficult in 2003 Session. Should keep door open for future efforts as well. Oct. 24 edits were to indicate in recommendation on existing funds that "The Legislature should provide policy direction to [the various funding entities] that funding for implementation of watershed plans is a state priority." Also beef up recommendation on the review of existing funds, with a deadline of December '03 for a progress report or report on initial findings. However, the report also retains the recommendation for enacting a new revenue source, using the "four principles." In future Legislative sessions, this may still need action.
Notes DOT money spent on mitigation. Should use that money in the watersheds to get greatest bang for the buck.	Consistent with report. No change needed.

Comments and Responses Report of Phase 4 Watershed Plan Implementation Committee (cont.)	
Comment	**Response**
II. Comments from Others, from Workshop, Letters or E-mail	
Need to do better job of getting federal money.	Clarify importance of federal money in report and Executive Summary. Note that it gets less discussion in report, because Committee directed its recommendations toward state and locals. But this does not diminish critical role of federal funds. Insert graphic on multiple sources of funding, used at Nov. 19 workshop.
Supports idea of prioritizing existing funding.	See discussion above.
Also believes may need new revenue source, but delay startup until economy picks up.	No change in report. Links to discussion above about retaining recommendation for new revenue source to be acted on in future.
Consider using lottery proceeds to fund implementation, as they do in Oregon.	This was not considered by Committee, but is not excluded either. Any proposal such as this could be compared with the four principles committee identified. Will list these four principles specifically in Executive Summary. Otherwise, no change to report.
Central Puget Sound area not planning under 2514. Still is a valuable effort that should be supported by state.	Other commenters also made this point. See discussion above.
Therefore, the WRIA 59 Planning Team … requests improvements to RCW 90.82 that will require cooperation and agreement between state agencies and county legislative authorities during and after adoption of the plan. This joint process of agreement should include, but not be limited to policies, standards, criteria and objectives. … there is a lack of statutory language to insure that after a plan is adopted by county legislative authority, with subsequent adoption of implementation rules so that some major portions and policy intent of the plan ***will not*** be lost during implementation of a plan. There needs to be solid assurances that when the plan is implemented it will be done in a manner that will get the results anticipated and as written in the plan throughout the collaborative process. (also received a nearly identical comment from another Planning Unit)	This is a very challenging area. It would be difficult to put statutory requirements in place to guarantee that state agencies (or locals for that matter) will follow through on plan intent. Particularly since plans may be highly variable in their content and degree of specificity. May be better to rely on inter-local agreements negotiated one plan at a time. Committee also notes that any changes to State rules or local ordinances adopted as a result of a watershed plan are subject to public process.
The job can be done just as well without as much structural process as envisioned in the report. Simplification of the process, as suggested, can get more done with less money and effort.	The report indicates that each local planning group will determine how much, or how little coordination and oversight is needed. In some areas this may require some strong procedural structure. In other areas, the Committee recognizes that little structural process will be needed, and activities can readily be integrated in existing procedures and organizations.

Comments and Responses Report of Phase 4 Watershed Plan Implementation Committee (cont.)	
Comment	**Response**
More ongoing entities and processes can be utilized and probably in a different way than suggested in the draft.	Yes, where ongoing entities and processes can be utilized, they should be.
Statutory changes are needed for 90.82 to accomplish "on the ground" ecological improvements where land owner acceptance is a part of achieving success.	Committee reviewed comment, but has not identified any additional statutory changes to Chapter 90.82 RCW, beyond those noted in the draft commented on.
A properly written statute could assure that funds used would result in the required benefits without extensive data gathering and monitoring proposed in the draft report. Necessary data gathering and monitoring could surely be fitted into the category of "coordination" in order to fill the needs.	Needs for ongoing monitoring and data management vary considerably, from place to place and depending on the issue being addressed. Based on committee discussions, there are some issues and regions where substantial improvement in data would yield large benefits in terms of managing water resources. The funds identified for coordination would not be adequate in these cases, so other sources of funding would be needed (local, state, federal, and/or private). Each local planning group has the opportunity to determine the extent of monitoring and data management needed for effective plan implementation. Will make this clear in report.
The CRM (coordinated resource management) official process is ideally suited to implementing environmental enhancement programs on private and public lands.	This process could be applicable, in areas where it is appropriate and landowners and others are familiar with it.
Conservation Districts have been taking the lead in coordinating many similar movements and could play an important role in this effort. Conservation Districts would be ideally suited for coordination duties.	Yes, Conservation Districts are identified in the report as one of the types of local agencies that could be well suited to coordination of implementation activities. The report does not prescribe any one organization over another. It is expected that each local planning unit or implementing governments will make this choice to best suit local needs and circumstances. Will make this clear in report.
Assurance the plans will be implemented to accomplish their specific intent is vital.	This is the intent of the law and the Committee's report.
Statutory changes must assure a plan's status is much more than a recommendation. Statutory changes are needed to ensure the end product after implementation will be what the local drafters of the plan intended.	The law includes provisions that appear intended to ensure Counties and state agencies must follow through on the "obligations" they accept (Ch. 90.82.130 RCW). The Committee has noted this intent, and identified modifications to the law that would further clarify how this might be done.
To obtain satisfactory results of implementing watershed plans, coordination is necessary at the local level and funding is needed to accomplish it.	Consistent with report. No change needed.

Comments and Responses Report of Phase 4 Watershed Plan Implementation Committee (cont.)	
Comment	**Response**
Because of the differences in regions and what citizens want a plan to cover or accomplish, the implementation processes authorized must have the flexibility to meet those needs. The committee may have over estimated what it will take to implement the plans, considering what is currently being done to improve the environment by on-going programs and processes and how it is being accomplished and funded. Planning units may not be thinking about what a plan will include in the same category as the committee. This could drastically change implementation from what the report envisions in some cases.	Yes, the Committee agrees that regional flexibility is central to the whole watershed planning process. Each planning unit will devise its plan and address implementation as suited to local needs and circumstances. Will make this clear in report. The Committee's estimates of cost for full implementation expressly acknowledge that a portion of this cost is covered by existing programs and processes. However, many members of the Committee also believe that substantial funding would be needed to fully implement all the plans statewide.
Funding authorizations should avoid the normal pitfall of "sharing the wealth equally", meaning that priorities for funding could vary.	The watershed planning program as administered to date has provided equal access to resources for each WRIA. In terms of funding for coordination, the Committee has continued applying this principle. In terms of funding for projects and programs, it is expected that funding will respond to applications submitted, using procedures that are built into each funding program.
Also, statutory changes are needed to make the whole process truly a full collaborative process that equalizes state and local relationships for environmental improvement purposes.	This theme seems to be consistent with the existing statute. The Committee did not identify new statutory language in this regard, but there may be opportunities to explore this further through the Legislative process.
The Phase IV Implementation Committee Report indicates that > implementation shouldn't be seriously considered until Phase IV. I believe > this sets the wrong tone. The report must strongly convey the importance > of considering implementation during plan development, including Phases I, > II, and III, even if the implementation plan isn't finalized until Phase> IV.	This was not the intent of report. Intent is to say that implementation should be considered in Phase III, and developed as far as possible. But many details such as financing, inter-local agreements, etc. cannot be done fully until we know what elements of plan "survive" the final county approval process. Clarify report on this point.
Implementation and eligibility for Phase IV funding should be more > flexible. I disagree with the assertion that Phase IV funding should only > be available after a plan is approved. My sense is that Phase IV funding > should also allow planning groups to "clean up" or complete their plans, > while requiring a comprehensive section on implementation as a product of > this work. This may be because my guess is that of all the Watershed Plans > in the State, 10-20% will be considered "successful", 10-20% will fail to > be approved, and 60-80% will not address the really important or hard > issues (by the way, I hope that I am wrong). This is not an easy process > and reaching consensus on issues of substance such as implementation > agreements will be difficult. It is likely that planning groups will need > some help during this portion of Phase III.	Committee discussed this and concluded that Legislature would not be enthusiastic about more money directed to planning. Phase 4 money should focus on carrying out actions in the watersheds. No change to report.

Comments and Responses Report of Phase 4 Watershed Plan Implementation Committee (cont.)	
Comment	**Response**
It is unclear at this point whether or not Phase III monies, if not > exhausted by plan completion, can be used to organize and publicize the > County public hearings and joint meetings. It appears that the County > approval process can occur after the plan due date (Planning Unit approval > date), so funding of the County approval process is uncertain. This will > be exacerbated if a County(s) indicates that changes are needed before the > document is acceptable. Funding must be available to help the Planning > Unit agree on these changes. If the legislature allocates Phase IV monies, > perhaps they should fund the items mentioned in this section.	Committee believes Phase IV money should be reserved for implementation activities, not used for finalization of the plan document. Funding from Phase III should be used for finalizing the Plan document. There does not appear to be a limitation in this regard in Chapter 90.82 RCW. There may be a problem with how grants are written. Committee requests Ecology to follow up on each WRIAs grant documentation, to clearly indicate the Phase III grant time period covers the County approval process and any final work by the Planning Unit in response to the Counties' review. Committee also notes that Counties should be very active in the planning process in each WRIA, and should not wait until the approval process to ensure issues important to the public are addressed.
I support the authorization of Planning Unit continuation or, > alternately, the appointment of successor groups. Commitments should be > encouraged by more entities than just state and county governments. Tribal > councils, water districts, municipalities, and nonprofit groups all have > important roles to play in water resource management. These roles, and > implementation commitments, can be codified via inter-local or > inter-governmental agreements or memoranda of understanding.	Consistent with report. No change needed.
Can matching monies be "in-kind" services for Phase IV? It would help > if they can.	Yes, this is Committee's intent. Executive Summary will be clarified on this point.
Recommendations on changes to the State law should be drawn from common > recommendations in WRIA plans, hopefully coordinated through the workshop [see comment in Section III below)	Note this in discussion on Committee's treatment of State law.
There has been a lot of talk about data management needs. I believe > that the recommendations from the plans will help direct how data > management will be handled, again, hopefully coordinated through the > workshop mentioned in #2 above.	Same as previous response.
Because WRIAs cross jurisdictional boundaries, intergovernmental coordination is key. We would encourage the development of intergovernmental agreements to address water quantity and water quality, and to protect (and restore) anadromous fish habitat. Intergovernmental agreements ensure coordination and consistency and avoid duplication of effort and resources. In tight budget times, coordination and elimination of duplication become even more critical.	Consistent with report. No change needed.

Comments and Responses Report of Phase 4 Watershed Plan Implementation Committee (cont.)	
Comment	**Response**
The process for amending comprehensive plans and development regulations under the GMA should also be considered in watershed plan implementation. Counties and cities must ensure early public participation in any process to amend a GMA plan or regulation. Amendments must comply with all of the goals and the requirements of the GMA. Plan amendments must be consistent with county-wide planning policies as well as internally consistent with other elements of the comprehensive plan. Amendments to development regulations must be consistent with and implement the comprehensive plan.	Add this point to report. It is important that watershed plans and local land-use plans be consistent with each other. For example, capital projects called for in watershed plan should be reflected in Capital Facilities Plan of a land use plan.
III. Comments on Issues Outside of Committee's Scope	
Any legislation to further define implementation of watershed plans should avoid duplicating the GMA and other existing land use authorities. The legislature sent a very clear message in 1995 when it passed regulatory reform legislation (ESHB 1724) requiring the state and local governments to better integrate the requirements of existing land use laws in GMA, SMA, and the State Environmental Policy Act (SEPA). ESHB 1724 specifically stated that the GMA is a "fundamental building block of regulatory reform. The state and local governments have invested considerable resources in an act that should serve as the integrating framework for all other land-use related laws. The GMA provides the means to effectively combine certainty for development decisions, reasonable environmental protection, long-range planning for cost-effective infrastructure, and orderly growth and management." Note to RCW 36.70A.470.	These points are valid but seem to be outside the scope of the Committee's charge. The Committee notes that Planning Units generally seem to be very aware of the linkages to land use planning and GMA. Local governments are very involved in most watershed planning efforts across the State. It is also noted that linkages to GMA have been addressed in guidance documents on watershed planning that are in wide use across the State.
Approval process in Chapter 90.82.130. Counties have to have public hearings, then a joint meeting to approve plan. Need to allow counties to "opt out" if they have "de minimus" lands in the watershed. Also need to streamline hearings, to cut costs.	While this is outside the expressed scope for the Committee, the Committee does recommend this should be allowed. Refer to Ecology for possible follow up in Legislative Session. Also pass comment on to Wash. State Assoc. of Counties for possible follow up.
Proposes a workshop among all groups engaged in watershed planning (including outside of 2514) to share concerns and issues, find common ground, and develop list of possible solutions and recommendations to state and federal agencies. For Fall 2003. Structure with advance materials; breakout sessions on specific topics; and development of options.	Refer to Ecology for consideration.

Comments and Responses Report of Phase 4 Watershed Plan Implementation Committee (cont.)	
Comment	**Response**
An Ecology Web page should be dedicated to reporting out on Phase IV > activities, including any actions by the legislature and summaries of each > watershed's recommendations. This page should also include all grant and > loan possibilities so every watershed can go to one spot to see what > funding opportunities exist. Ecology used to have a mailing that did this > (maybe 10 years ago); I haven't seen this recently.	Refer to Ecology for consideration.